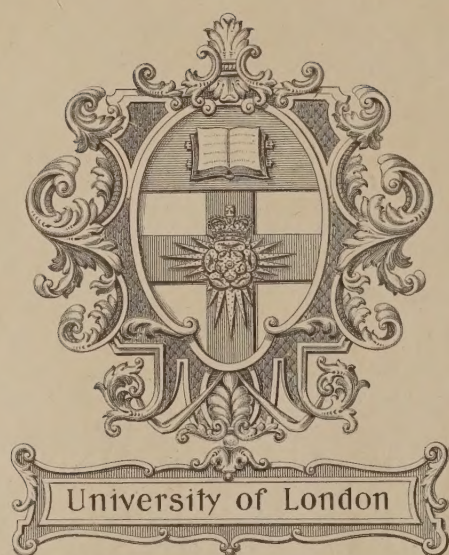
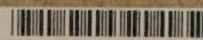


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ACCOUNTS AND PAPERS:

THIRTY-FIVE VOLUMES.

— (18.) —

LAW; CRIME; POLICE;
PRISONS AND REFORMATORIES.

Session

19 November 1867 — 31 July 1868.

VOL. LVII.

1867-8.

ACCOUNTS AND PAPERS:

1867-8.

THIRTY-FIVE VOLUMES:—CONTENTS OF THE EIGHTEENTH VOLUME.

N.B.—*THE* Figures at the beginning of the line, correspond with the N^o at the foot of each Paper; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for *The House of Commons*.

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BANKRUPTCY COURT.

GENERAL RETURN for the Year ending the 11th day of October 1867, of all MATTERS JUDICIAL and FINANCIAL within "The BANKRUPTCY Act, 1861;" framed by the CHIEF REGISTRAR of the COURT.

(In pursuance of Section 67 of such Act, and of a General Order made under it, dated the 18th day of July 1863.)

	London District Court.	Country District Courts.	County Courts.	TOTAL.
Number of Adjudications of Bankruptcy - -	3,072	1,857*	4,065	8,994
On Petition of a Creditor - - - -	281	459	65	805
On Petition of a Debtor - - - -	2,153	1,186	3,194	6,533
By Registrars at the Prisons - - -	374	199	590	1,163
On Petitions in formâ pauperis - - -	255	9	216	480
On Judgment Debtor Summons - - -	9	4	-	13
Number of Adjudications where the Debts of the Bankrupt exceeded 300 l. - - - -	1,790	1,799	198	3,787
Number where the Debts did not exceed 300 l. -	1,282	58	3,867	5,207
Discharges Granted - - - - -	2,428	1,387	3,087	6,902
" Suspended - - - - -	129	125	91	345
" Refused - - - - -	-	10	90	100
Total Amount of Gross Produce realised from the several Bankrupts' Estates - - - -	£. s. d. 165,954 12 8	£. s. d. 356,852 6 5	£. s. d. 60,713 2 3	£. s. d. 583,520 1 4
" Amount realised by Creditors' Assignees -	85,961 6 9	197,154 3 10	6,501 14 3	289,617 4 10
" Amount realised by Official Assignees -	79,993 5 11	159,698 2 7†	54,211 8 -	293,902 16 6
Number of Cases in which a Dividend was made -	350	667	632	1,649
" in which there was no Dividend -	2,688	997	2,191	5,876
" in which Dividend was under 2 s. 6 d.	176	350	337	863
" 2 s. 6 d. and under 5 s. -	105	159	181	445
" 5 s. " 7 s. 6 d.	35	83	59	177
" 7 s. 6 d. " 10 s. -	14	26	22	62
" 10 s. " 15 s. -	11	22	13	46
" 15 s. " 20 s. -	2	9	5	16
" 20 s. - - - - -	7	18	15	40

* Number of Adjudications in the several District Courts of Bankruptcy:—

Birmingham District { Birmingham - 332 } 439; Bristol District, 222; Exeter District, 124.
 Nottingham - 107

Leeds District { Leeds - 230 } 328; Liverpool District, 269; Manchester District, 332; Newcastle District, 143.
 Hull - 57
 Sheffield - 41

† Birmingham District—Birmingham, 27,907 l. 9 s. 5 d.; Nottingham, 13,961 l. 17 s. 8 d.; Bristol District, 16,120 l. 2 s. 7 d.; Exeter District, 11,029 l. 5 s. 1 d.; Leeds District—Leeds, 39,398 l.; Hull, 4,609 l. 12 s. 2 d.; Sheffield, 9,781 l.; Liverpool District, 18,648 l. 9 s. 10 d.; Manchester District, 11,837 l.; Newcastle District, 6,405 l. 14 s. 10 d.

TRUST DEEDS.

	Number of Deeds Registered.	Amount of Stamp Duty.	Gross Value of Estate and Effects.	Gross Amount of unsecured Debts.
		£. s. d.	£.	£.
Deeds of assignment - -	2,808	8,761 15 -	3,504,700	10,642,646
„ composition - -	3,971	8,567 15 -	3,427,100*	8,246,432
„ inspectorship - -	138	4,513 5 -	1,805,300	10,753,550
TOTAL - - -	6,912	21,842 15 -	8,737,100	29,642,628

* Gross amount of composition paid.

RATES OF COMPOSITION under COMPOSITION DEEDS.

Number of Deeds.	Rate per Pound.	Number of Deeds.	Rate per Pound.	Number of Deeds.	Rate per Pound.	Number of Deeds.	Rate per Pound.	Number of Deeds.	Rate per Pound.
	s. d.		s. d.		s. d.		s. d.		s. d.
6	- 3	1	2 10½	116	6 -	9	10 6	1	16 6
2	- 4	134	3 -	18	6 6	1	10 8	1	17 -
1	- 5	1	3 3	1	6 7	8	11 -	1	17 6
61	- 6	30	3 4	126	6 8	1	11 3	3	18 -
1	- 7½	32	3 6	1	6 9	2	11 6	2	19 -
1	- 8	1	3 9	36	7 -	30	12 -	3	19 6
1	- 9	193	4 -	181	7 6	33	12 6	1	19 11
357	1 -	1	4 -½	1	7 9	1	12 8	1	19 11½
8	1 3	1	4 4	78	8 -	3	13 -	272	20 -
47	1 6	22	4 6	1	8 4	10	13 4	10	No fixed rate.
308	2 -	1	4 9	21	8 6	2	13 6		
1	2 3	1	4 10	1	8 9	1	13 9	3,971	
1	2 4	818	5 -	26	9 -	8	14 -		
540	2 6	19	5 6	2	9 6	39	15 -		
2	2 9	2	5 9	322	10 -	3	16 -		

MASTER'S OFFICE.

Number of Bills taxed - - - - -	5,011
Total Gross Amount - - - - -	£. s. d. 81,720 4 6
Amount of Solicitors' Bills - - - - -	£.58,349 13 -
„ of Messengers' Bills - - - - -	10,642 8 2
„ of Assignees and others for travelling expenses, &c. - - - - -	278 5 9
„ of Auctioneers' Bills - - - - -	8,932 9 1
„ of Accountants' Bills - - - - -	3,517 8 6
	81,720 4 6
Amount struck off on Taxation - - - - -	9,785 11 7
Net Amount - - - - -	£. 71,934 12 11

APPEALS.

Number of Appeals - - - - -	73
Cases in which Judgments were affirmed - - - - -	17
„ reversed - - - - -	23
„ varied - - - - -	9
„ pending, abandoned, or arranged - - - - -	24
	73
Number of Appeals under Trust Deeds - - - - -	27
Cases in which Judgments were affirmed - - - - -	8
„ reversed - - - - -	11
„ varied - - - - -	2
„ pending, abandoned, or arranged - - - - -	6
	27
Number of Appeals from County Courts - - - - -	3
Cases in which Judgments were affirmed - - - - -	0
„ reversed - - - - -	1
„ varied - - - - -	0
„ pending, abandoned, or arranged - - - - -	2
	3

MESSENGERS.

AN ACCOUNT of all FEES received by the Messengers in the London Court, and in the District Courts in the Country, in respect of anything done or duty discharged under any Bankruptcy; Also,

AN ACCOUNT of PAYMENTS actually disbursed and for Assistance, including the Salaries of the Messengers and their Clerks; Also,

AN ACCOUNT of all Sums of Money received by way of DEPOSITS from or on account of any Bankrupt in trust for his Estate.

For Business done under the Bankruptcy Act, 1861, including Deposits applied to the Payment of Bills.	TOTAL RECEIPTS.	TOTAL PAYMENTS.
	£. s. d.	£. s. d.
By the Messengers in London - - - -	13,971 5 8	9,968 3 6
By the Messengers in the Country District Courts, viz :		
Birmingham - - - - -	3,756 - 7	2,894 19 11
Bristol - - - - -	2,546 18 11	1,995 2 6
Exeter - - - - -	1,366 4 10	1,265 7 2
Leeds - - - - -	3,305 18 -	2,502 13 7
Liverpool - - - - -	3,294 7 10	2,586 11 1
Manchester - - - - -	3,521 13 8	2,181 3 5
Newcastle - - - - -	1,673 9 3	1,616 4 2
£.	33,435 18 9	25,010 5 4
SURPLUS - - - £.		8,425 13 5

	Received for Deposits.	Deposits returned or applied to the Payment of Bills.	Balance of Deposits in the Hands of the Messengers applicable to Payment of Costs in Cases not concluded, or to be returned to Persons making the Deposits.
	£. s. d.	£. s. d.	£. s. d.
London - - - - -	20,186 3 -	11,280 9 2	* 8,905 13 10
Birmingham - - - - -	1,954 15 11	1,426 1 7	528 14 4
Bristol - - - - -	1,203 8 7	917 17 -	285 11 7
Exeter - - - - -	156 - 4	123 - 8	32 19 8
Leeds - - - - -	295 10 -	150 - -	145 10 -
Liverpool - - - - -	421 18 11	309 3 2	112 15 9
Manchester - - - - -	256 14 2	140 17 11	115 16 3
Newcastle - - - - -	1,001 15 5	602 5 8	399 9 9
TOTAL - - - £.	25,476 6 4	14,949 15 2	10,526 11 2

* Of this Sum, 5,080 l. has been paid into Court by the Messengers, under direction of the Lord Chancellor.

HIGH BAILIFFS OF THE COUNTY COURTS.

Total Amount of Deposits received in matters of Bankruptcy - - - -	£. s. d.
† Total Amount of such Deposits returned or applied to the Payment of Bills - -	8,133 17 2
Balance of Deposits remaining in the hands of the High Bailiffs - - -	6,971 8 2
	1,164 7 9

† In Four Courts the Payments exceed the Deposits by Sums amounting together to 17. 18 s. 9 d.

COUNTY COURTS.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Aberdare - - - -	26 11 1	4 2 6	22 8 7	65 6 2	28 19 3	36 6 11
Abergavenny - - -	- - -	- - -	- - -	12 12 10	6 18 3	5 14 7
Aberayron - - - -	10 - -	- - -	10 - -	3 14 8	2 5 1	1 9 7
Aberystwith - - -	6 12 6	- 4 4	6 8 2	14 2 -	7 6 1	6 15 11
Abingdon - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Alcester - - - -	2 - -	- - -	2 - -	3 17 -	2 1 6	1 15 6
Alfreton - - - -	17 - -	5 15 -	11 5 -	23 15 9	12 8 9	11 7 -
Alnwick - - - -	18 16 3	1 16 5	16 19 10	27 12 3	17 8 -	10 4 3
Alston - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Alton - - - -	3 - -	- - -	3 - -	7 18 10	4 11 -	3 7 10
Altrincham - - -	9 11 8	- 9 1	9 2 7	12 16 2	8 1 4	4 14 10
Ambleside - - - -	- - -	- - -	- - -	10 11 8	5 12 10	4 18 10
Amphill - - - -	7 18 4	- 19 4	6 19 -	10 10 -	10 8 -	- 2 -
Andover - - - -	20 13 7	1 2 -	19 11 7	20 5 1	8 7 7	11 17 6
Appleby - - - -	14 19 1	- 14 5	14 4 8	18 1 4	10 5 4	7 16 -
Arundel - - - -	1 2 6	12 8 9	- - -	4 - -	7 6 6	- - -
Ashborne - - - -	3 3 10	- 6 8	2 17 2	4 11 4	2 12 6	1 18 10
Ashby-de-la-Zouch -	5 12 7	- 7 1	5 5 6	8 14 10	4 18 11	3 15 11
Ashford - - - -	5 18 1	- 1 2	5 16 11	3 18 -	2 6 6	1 11 6
Ashton-under-Lyne -	24 - 1	3 - 11	20 19 2	45 6 4	28 10 2	16 16 2
Atherstone - - -	15 - 11	- 15 10	14 5 1	5 2 6	2 13 5	2 9 1
Attleborough - - -	25 19 4	2 2 10	23 16 6	11 12 8	7 15 7	3 17 1
Axbridge - - - -	2 13 10	- 8 6	2 5 4	4 - -	2 3 9	1 16 3
Axminster - - - -	12 16 7	2 2 5	10 14 2	22 8 8	10 9 1	11 19 7
Aylesbury - - - -	34 6 9	1 2 1	33 4 8	20 14 8	11 17 8	8 17 -
Aylsham - - - -	7 7 7	- 9 11	6 17 8	5 15 7	2 17 1	2 18 6
Bacup - - - -	2 1 6	- 5 6	1 16 -	3 4 4	1 14 9	1 9 7
Bakewell - - - -	6 - -	- - -	6 - -	12 1 -	6 12 -	5 9 -
Bala - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Banbury - - - -	14 9 9	- - -	14 9 9	15 17 6	6 - 4	9 17 2
Bangor - - - -	7 11 7	- 5 5	7 6 2	6 18 7	6 - 7	- 18 -
Barnard Castle - -	16 2 4	- 8 7	15 13 9	18 19 10	10 - 1	8 19 9
Barnsley - - - -	43 19 11	3 10 6	40 9 5	18 18 -	11 4 6	7 13 6
Barnstable - - - -	16 - -	- - -	16 - -	28 19 6	14 - 4	14 19 2
Barton-on-Humber -	15 2 11	- 17 5	14 5 6	13 10 10	6 19 10	6 11 -
Basingstoke - - -	4 17 8	- 5 -	4 12 8	24 - -	10 13 3	13 6 9
Bath - - - -	48 19 7	1 2 6	47 17 1	61 11 2	31 10 4	30 - 10
Bedford - - - -	24 5 8	1 5 7	23 - 1	36 10 -	19 10 10	16 19 2
Beccles and Bungay -	15 17 2	- 8 6	15 8 8	15 18 10	9 2 7	6 16 3
Belford - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Beverley - - - -	11 7 4	1 16 3	9 11 1	13 9 8	6 7 6	7 2 2
Belper - - - -	24 9 -	3 1 7	21 7 5	13 4 8	4 11 8	8 13 -
Bellingham - - - -	2 - 9	- 2 5	1 18 4	3 16 11	2 7 10	1 9 1
Berwick - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Bicester - - - -	6 15 6	- 4 6	6 11 -	11 1 11	5 10 3	5 11 8
Bideford - - - -	28 11 11	- 14 6	27 17 5	26 18 9	14 2 9	12 16 -
Biggleswade - - -	3 9 5	- 6 5	3 3 -	6 17 -	3 5 5	3 11 7
Bingham - - - -	1 4 9	- 2 9	1 2 -	- - -	- - -	- - -
Birkenhead - - - -	141 10 6	19 12 3	121 18 3	243 11 10	137 14 2	105 17 8
Birmingham - - -	728 12 6	40 - -	688 12 6	497 18 8	283 3 10	214 14 10
Bishops Stortford -	4 16 -	- 7 10	4 8 2	14 1 8	8 17 1	5 4 7
Bishops Auckland -	46 1 11	6 14 6	39 7 5	55 5 9	27 18 6	27 7 3
Bishops Castle - -	2 1 4	- - 8	2 - 8	- - -	- - -	- - -
Bishops Waltham - -	2 16 3	- 4 -	2 12 3	6 8 -	3 2 8	3 5 4
Blackburn - - - -	15 17 4	- 3 -	15 14 4	22 13 10	12 15 11	9 17 11
Blandford - - - -	7 9 9	- - -	7 9 9	15 11 2	8 11 8	6 19 6
Bodmin - - - -	60 1 3	49 17 3	10 4 -	38 16 6	18 16 2	20 - 4
Bolton - - - -	105 9 8	48 10 3	56 19 5	47 9 11	18 1 7	29 8 4
Boston - - - -	7 1 -	- 19 3	6 1 9	1 7 -	- 15 6	- 11 6
Bourne - - - -	5 4 8	- 7 6	4 17 2	11 1 -	6 1 11	4 19 1
Brackley - - - -	3 5 -	- - -	3 5 -	12 2 10	5 5 11	6 16 11
Bradford, York - -	180 5 3	21 5 -	159 - 3	136 5 5	75 6 1	60 19 4
Bradford, Wilts - -	- - -	- - -	- - -	- - -	- - -	- - -
Braintree - - - -	9 - -	- - -	9 - -	4 2 8	2 7 10	1 14 10
Brampton - - - -	4 11 -	- 5 -	4 6 -	5 10 3	2 18 6	2 11 9
Brecknock - - - -	8 14 9	1 4 8	7 10 1	16 1 -	8 10 7	7 10 5

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Brentwood - - - - -	- - - - -	- - - - -	- - - - -	9 5 2	5 6 10	3 18 4
Bridgend and Cowbridge - - - - -	29 8 -	6 2 8	23 5 4	30 15 1	13 7 -	17 8 1
Bridgnorth - - - - -	10 8 4	- 8 5	9 19 11	16 3 10	9 3 10	7 - -
Bridgewater - - - - -	53 2 3	2 14 2	50 8 1	62 8 7	33 11 7	28 17 -
Bridlington - - - - -	4 19 6	- 5 4	4 14 2	6 - 5	2 13 6	3 6 11
Bridport - - - - -	23 4 8	- 15 -	22 9 8	18 18 6	10 - 1	8 18 5
Brigg - - - - -	- - - - -	- - - - -	- - - - -	- 18 1	- 18 1	- - -
Brighton - - - - -	125 10 4	4 10 5	120 19 11	212 2 -	125 19 11	86 2 1
Bristol - - - - -	171 11 1	43 13 2	127 17 11	282 15 4	156 7 11	126 7 5
Bromsgrove - - - - -	15 - -	7 15 8	7 4 4	10 15 8	6 12 3	4 3 5
Bromyard - - - - -	15 - -	10 12 4	4 7 8	14 5 8	8 5 2	6 - 6
Buckingham - - - - -	2 - -	- - -	2 - -	5 19 6	2 6 6	3 13 -
Builth - - - - -	3 10 3	1 5 3	2 5 -	3 18 9	2 2 6	1 16 3
Burnley - - - - -	27 9 4	1 18 10	25 10 6	30 2 8	14 17 -	15 5 8
Burton-on-Trent - - - - -	51 10 -	8 17 6	42 12 6	78 15 2	42 19 6	35 15 8
Bury - - - - -	33 1 4	2 - -	31 1 4	43 19 7	24 11 7	19 8 -
Bury St. Edmund's - - - - -	33 18 6	1 12 -	32 6 6	31 2 -	17 18 -	13 4 -
Caistor - - - - -	6 19 4	- 13 -	6 6 4	3 17 -	2 10 8	1 6 4
Calne - - - - -	14 8 11	- 5 -	14 3 11	14 19 2	8 14 10	6 4 4
Cambridge - - - - -	82 10 3	2 18 9	79 11 6	46 6 8	26 3 6	20 3 2
Camelford - - - - -	11 13 4	- 16 10	10 16 6	7 12 -	3 7 6	4 4 6
Canterbury - - - - -	20 6 -	- - -	20 6 -	15 3 8	7 12 9	7 10 11
Cardiff - - - - -	91 4 6	3 17 8	87 6 10	65 12 7	33 12 11	31 19 8
Cardigan - - - - -	11 - 6	- - -	11 - 6	- - -	2 6 9	- - -
Carlisle - - - - -	76 11 2	7 1 7	69 9 7	94 11 9	49 7 10	45 3 11
Carmarthen - - - - -	7 3 -	- - -	7 3 -	6 8 3	2 7 11	4 - 4
Carnarvon - - - - -	21 6 11	1 7 4	19 19 7	6 18 4	3 19 2	2 19 2
Chapel-en-le-Frith - - - - -	14 3 9	- 11 6	13 12 3	13 8 2	7 6 1	6 2 1
Chard - - - - -	- - -	- - -	- - -	7 15 -	3 18 10	3 16 2
Cheadle - - - - -	10 12 -	- 16 3	9 15 9	21 12 8	10 19 6	10 13 2
Chelmsford - - - - -	17 11 -	- - -	17 11 -	19 11 10	11 14 -	7 17 10
Cheltenham - - - - -	42 9 5	4 12 11	37 16 6	40 19 7	24 3 10	16 15 9
Chepstow - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Chertsey - - - - -	3 19 -	- 6 8	3 12 4	5 1 2	2 9 2	2 12 -
Chesham - - - - -	- - -	- - -	- - -	10 2 8	6 13 3	3 9 5
Chester - - - - -	49 15 3	2 2 10	47 12 5	16 7 6	9 14 8	6 12 10
Chesterfield - - - - -	23 14 7	1 6 5	22 8 2	28 12 1	14 19 2	13 12 11
Chichester - - - - -	28 12 4	- 13 2	27 19 2	- - -	- - -	- - -
Chippenham - - - - -	5 19 4	- 5 10	5 13 6	9 14 8	6 5 9	3 8 11
Chipping Norton - - - - -	7 - -	- - -	7 - -	3 10 8	1 14 7	1 16 1
Chipping Sodbury - - - - -	3 16 6	2 6 -	1 10 6	3 13 10	1 12 4	2 1 6
Chorley - - - - -	3 7 6	- 1 -	3 6 6	5 12 4	2 11 8	3 - 8
Christchurch - - - - -	3 5 3	- - 3	3 5 -	2 10 4	1 3 8	1 6 8
Cirencester - - - - -	3 - -	- - -	3 - -	- - -	- - -	- - -
Clebury Mortimer - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Clitheroe - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Cockermouth - - - - -	- - -	- - -	- - -	6 19 -	3 8 2	3 10 10
Colchester - - - - -	37 3 4	2 5 1	34 18 3	92 10 1	53 6 11	39 3 2
Colne - - - - -	23 2 1	1 17 7	21 4 6	19 18 6	9 8 -	10 10 6
Congleton - - - - -	- - -	- - -	- - -	17 7 4	12 14 4	4 13 -
Conway - - - - -	8 9 6	- - 7	8 8 11	32 16 6	18 13 8	14 2 10
Corwen - - - - -	9 14 7	- 14 7	9 - -	7 19 2	4 17 7	3 1 7
Coventry - - - - -	65 12 10	3 15 1	61 17 9	43 3 8	21 12 11	21 10 9
Crediton - - - - -	5 15 9	- 3 11	5 11 10	11 10 4	7 1 5	4 8 11
Crewkerne - - - - -	5 4 7	- 5 6	4 19 1	18 3 4	9 19 1	8 4 3
Crickhowell - - - - -	1 18 9	- 10 7	1 8 2	3 7 8	1 13 7	1 14 1
Cuckfield - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Darlington - - - - -	31 12 10	2 11 7	29 1 3	68 5 6	37 14 5	30 11 1
Dartford - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Daventry - - - - -	18 6 7	- 15 4	17 11 3	15 17 1	9 14 8	6 2 5
Deal - - - - -	3 18 11	- 7 1	3 11 10	3 15 10	2 7 1	1 8 9
Denbigh - - - - -	- - -	- - -	- - -	9 3 -	6 5 -	2 18 -
Derby - - - - -	239 16 2	21 13 10	218 2 4	170 5 7	90 2 9	80 2 10
Dewsbury - - - - -	87 16 4	1 15 11	86 - 5	104 18 10	61 14 -	43 4 10
Devizes - - - - -	- - -	- - -	- - -	1 13 7	- 14 10	- 18 9
Dolgelly - - - - -	- - -	- - -	- - -	4 - -	1 19 6	2 - 6
Doncaster - - - - -	8 - -	- - -	8 - -	16 11 3	7 16 10	8 14 5

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Dorchester	43 - 5	3 19 3	39 1 2	19 - 2	10 11 8	8 8 6
Downham Market	1 15 -	- - 1	1 14 11	4 12 6	2 7 2	2 5 4
Dorking	14 7 9	- 3 9	14 4 -	14 2 -	8 5 3	5 16 9
Dover	6 4 8	2 7 -	3 17 8	3 4 8	1 16 9	1 7 11
Droitwich	112 11 -	8 19 7	103 11 5	176 10 2	96 17 3	79 12 11
Dudley	4 4 4	- 3 2	4 1 2	11 7 10	6 6 5	5 1 5
Dunmow	72 - -	32 - -	40 - -	37 14 6	18 14 1	19 - 5
Durham	4 9 10	- 1 10	4 8 -	4 5 4	2 5 -	2 - 4
Dursley	2 16 4	- 1 8	2 14 8	14 11 -	9 9 -	5 2 -
East Dereham	16 1 1	1 15 6	14 5 7	16 5 4	6 17 1	9 8 3
East Grinstead	260 19 8	36 16 -	224 3 8	185 14 10	102 11 1	83 3 9
East Retford	9 6 8	1 4 4	8 2 4	24 3 4	15 2 4	9 1 -
Easingwold	10 10 11	- 9 5	10 1 6	17 - 1	11 5 3	5 14 10
East Stonehouse	150 - 10	9 17 4	140 3 6	111 18 3	56 8 11	55 9 4
Ely	4 3 8	- - 7	4 3 1	6 19 3	4 11 5	2 7 10
Evesham	46 15 7	1 17 9	44 17 10	52 3 5	23 9 11	28 13 6
Exeter	21 5 10	1 - -	20 5 10	20 14 9	10 9 11	10 4 10
Eye and Diss	14 3 2	1 3 2	13 - -	25 - 1	13 16 7	11 3 6
Falmouth	4 12 3	- 8 1	4 4 2	11 3 9	5 15 -	5 8 9
Farnham	2 7 6	- 2 3	2 5 3	- - -	- - -	- - -
Faringdon	5 3 5	- 3 10	4 19 7	11 12 10	6 15 11	4 16 11
Faversham	6 4 3	- 4 3	6 - -	27 13 10	15 17 11	11 15 11
Folkestone	61 3 9	6 14 5	54 9 4	90 7 9	63 17 -	26 10 9
Fordingbridge	36 8 9	- 15 7	35 13 2	44 6 7	27 19 8	16 6 11
Framlingham and Saxmundham	3 16 7	- 11 9	3 4 10	5 12 2	3 4 7	2 7 7
Frome	58 9 9	- 14 9	57 15 -	101 - 11	57 9 3	43 11 8
Gainsborough	No Return - see page 11			54 13 8	32 18 5	21 15 3
Gateshead	21 9 1	3 15 -	17 14 1	13 2 1	7 15 4	5 6 9
Garstang	13 1 -	1 9 8	11 11 4	27 15 8	13 1 6	14 14 2
Glossop	24 19 9	- 18 4	24 1 5	17 17 2	10 6 11	7 10 3
Gloucester	30 11 3	- 14 9	29 16 6	36 2 -	22 15 8	13 6 4
Godalming	21 15 6	1 8 11	20 6 7	44 1 -	27 3 -	16 18 -
Goole	4 18 3	- 5 8	4 12 7	9 - 6	4 8 4	4 12 2
Grantham	5 19 8	- 6 4	5 13 4	10 15 8	6 4 3	4 11 5
Gravesend	84 18 -	35 - -	49 18 -	86 2 5	41 2 1	45 - 4
Great Driffield	5 10 9	- 5 6	5 5 3	6 5 9	3 8 2	2 17 7
Great Grimsby	65 19 -	- 15 6	65 3 6	247 6 8	154 2 4	93 4 4
Guildford	4 6 6	- 4 -	4 2 6	10 8 4	6 13 3	3 15 1
Hadleigh	7 - -	- - -	7 - -	18 2 2	7 13 7	10 8 7
Halesworth	7 - -	- - -	7 - -	7 1 5	3 5 8	3 15 9
Halifax	3 13 4	- - 3	3 13 1	10 18 3	5 5 9	5 12 6
Halstead	47 2 3	4 1 8	43 - 7	45 5 11	26 - 5	19 5 6
Haltwhistle	5 3 -	- - -	5 3 -	3 10 -	1 19 3	1 10 9
Hanley Burslem and Tunstall	5 - -	- - -	5 - -	8 - 8	4 16 3	3 4 5
Harleston	8 10 3	1 5 1	7 5 2	6 13 8	3 4 10	3 8 10
Hartlepool	4 19 10	- 13 11	4 5 11	8 16 3	3 16 10	4 19 5
Hartlepool	2 13 -	- - -	2 13 -	10 9 11	3 19 -	6 10 11
Harwich	2 - -	- - -	2 - -	8 16 8	4 3 3	4 13 5
Haslingden and Accrington	68 18 -	1 16 6	67 1 6	80 16 1	41 5 11	39 10 2
Hastings	- - -	- - -	- - -	9 14 9	6 9 1	3 5 8
Haverfordwest	4 11 11	- 1 6	4 10 5	7 - 2	3 14 3	3 5 11
Haverhill	27 12 10	1 7 3	26 5 7	45 4 10	25 15 8	19 9 2
Hay	1 - -	- - -	1 - -	6 - 8	3 2 -	2 18 8
Hedon	6 4 5	- 16 4	5 8 1	19 19 4	12 18 10	7 - 6
Helmsley	25 4 8	2 7 6	22 17 2	28 10 2	16 11 11	11 18 3
Helston	- - -	- - -	- - -	- - -	- - -	- - -
Henley-on-Thames	- - -	- - -	- - -	- - -	- - -	- - -
Hereford	- - -	- - -	- - -	- - -	- - -	- - -
Hertford	- - -	- - -	- - -	- - -	- - -	- - -
Hexham	- - -	- - -	- - -	- - -	- - -	- - -
High Wycombe	- - -	- - -	- - -	- - -	- - -	- - -
Hinckley	- - -	- - -	- - -	- - -	- - -	- - -
Hitchin	- - -	- - -	- - -	- - -	- - -	- - -
Holbeach	- - -	- - -	- - -	- - -	- - -	- - -
Holsworthy	- - -	- - -	- - -	- - -	- - -	- - -

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Holt	5 6	2 2	4 18 4	22 16 10	14 6 8	8 10 2
Holmfirth				7 --	2 17 --	4 3 --
Holywell	9 12 9	12 4	9 -- 5	10 10 6	5 19 4	4 11 2
Honiton	18 4 6	1 17 10	16 6 8	24 18 9	11 2 11	13 15 10
Horncastle	24 -- 3	16 8	23 3 7	30 5 7	21 5 2	9 -- 5
Horsham	4 3 6	2 1	4 1 5	11 15 2	6 2 8	5 12 6
Howden	5 18 9	7 3	5 11 6	13 7 1	8 1 3	5 5 10
Huddersfield	43 14 4	1 16 6	41 17 10	42 13 11	25 --	17 13 11
Hungerford	2 10 --	7 10	2 2 2	3 13 2	5 7 2	--
Huntingdon	8 -- 10	3 4	7 17 6	1 10 --	18 --	12 --
Hyde	22 4 10	5 7 7	16 17 3	32 1 3	17 2 8	14 18 7
Hythe	10 19 6	--	10 19 6	19 10 8	11 11 6	7 19 2
Ipswich	39 11 11	3 17 1	35 14 10	61 10 9	32 10 5	29 -- 4
Kendal	25 4 1	1 17 2	23 6 11	38 8 8	20 9 3	17 19 5
Keighley	21 15 11	14 4	21 1 7	23 11 4	13 5 9	10 5 7
Keswick	4 2 10	6 10	3 16 --	20 10 3	14 15 7	5 14 8
Kettering				1 10 3	18 3	12 --
Kidderminster	23 18 6	1 17 11	22 -- 7	25 19 4	14 1 10	11 17 6
Kingston-upon-Hull	70 1 --	3 18 7	66 2 5	112 7 10	57 6 9	55 1 1
Kington	4 12 7	1 9	4 10 10	8 8 8	4 19 1	3 9 7
King's Lynn	20 8 4	1 5 --	19 3 4	33 3 7	17 15 8	15 7 11
Kirkby Lonsdale	8 14 --	13 4	8 -- 8	11 9 --	6 1 10	5 7 2
Kirkham						
Kingsbridge	2 16 10	1 --	2 15 10	19 6 9	9 3 1	10 3 3
Knarsborough	10 7 3	1 6 3	9 1 --	17 4 10	11 5 9	5 19 1
Knighton	--			--		
Lampeter						
Lancaster	36 19 6	4 16 7	32 2 11	21 17 --	14 15 2	7 1 10
Langport				4 -- --	2 7 2	1 12 10
Launceston	8 12 4	17 6	7 14 10	13 11 7	8 13 1	4 18 6
Ledbury	3 -- --		3 -- --	9 9 --	5 5 --	4 4 --
Leeds	227 3 3	41 2 5	186 -- 10	455 17 5	266 4 11	189 12 6
Leek	10 13 7	15 4	9 18 3	24 4 --	13 6 3	10 17 9
Leicester	145 9 --	4 4 5	141 4 7	155 5 3	88 7 1	66 18 2
Leigh	17 2 9	2 12 7	14 10 2	38 12 10	19 5 11	19 6 11
Leighton Buzzard	5 10 --		5 10 --	9 16 1	5 19 1	3 17 --
Leominster	17 1 6	12 3	16 9 3	23 5 --	13 6 8	9 18 4
Lewes	159 6 --	5 -- 6	154 5 6	156 15 5	73 5 4	83 10 1
Leyburn	1 16 10	1 6	1 15 4	4 13 9	2 10 2	2 3 7
Lichfield	21 15 2	2 5 6	19 9 8	48 14 --	28 2 --	20 12 --
Lincoln	275 14 3	21 5 10	254 8 5	168 9 7	91 4 1	77 5 6
Liskeard				5 8 --	4 4 --	1 4 --
Little Walsingham	8 11 10	10 10	8 1 --	35 2 5	20 6 7	14 15 10
Liverpool	565 7 2	98 18 8	466 8 6	463 10 3	302 1 2	181 9 1
Llandeilo-fawr	2 -- --		2 -- --	10 10 --	3 12 10	6 17 2
Llandovery						
Llangefni and Holyhead	14 6 10	1 14 6	12 12 4	26 6 6	11 12 11	14 13 7
Llandloes	3 11 6		3 11 6	8 6 4	3 18 8	4 7 8
Llanelli	4 10 --	12 9	3 17 3	11 1 --	5 14 1	5 6 11
Llanfyllin	16 17 8	17 9	15 19 11	21 2 11	10 13 8	10 9 3
Llanrwst	8 -- 4	1 2 9	6 17 7	16 17 10	8 2 2	8 15 8
Loughborough	43 15 11	5 17 10	37 18 1	62 9 10	35 2 1	27 7 9
Louth	10 2 --	17 10	9 4 2	22 15 2	17 3 3	5 11 11
Lowestoft	4 8 9	7 3	4 1 6	5 7 6	2 16 1	2 11 5
Ludlow	8 9 8	16 4	7 13 4	29 17 --	19 6 2	10 10 10
Luton				89 1 11	60 8 3	28 13 8
Lutterworth	8 11 11	7 1	8 4 10	29 10 4	17 7 2	12 3 2
Lymington	10 13 6	4 7	10 8 11	8 7 4	5 5 --	3 2 4
Macclesfield						
Machynlleth				3 2 11	1 10 11	1 12 --
Madeley	21 11 8	3 1 6	18 10 2	62 6 6	23 18 --	38 8 6
Maidstone	60 18 --	1 1 7	59 16 5	26 12 11	17 4 5	9 8 6
Maldon				6 15 4	8 10 3	3 5 1
Malmesbury	5 17 9	13 9	5 4 --	4 12 3	1 14 4	2 17 11
Manchester	390 11 3	43 18 11	346 12 4	264 7 10	150 4 5	114 3 5

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Mansfield - - - -	6 6 3	- 9 7	5 16 8	6 14 2	3 - 3	3 13 11
March - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Margate - - - -	7 4 10	- 4 8	7 - 2	7 15 8	4 10 11	3 4 9
Market Bosworth - - -	- - -	- - -	- - -	131 13 6	40 - -	91 13 6
Market Drayton - - -	1 19 1	- 5 6	1 13 7	3 14 4	2 4 8	1 9 8
Market Harborough - -	2 7 6	- 2 6	2 5 -	5 3 -	2 16 3	2 6 9
Market Rasen - - -	5 7 4	- 9 3	4 18 1	16 6 3	12 1 10	4 4 5
Marlborough - - -	3 13 5	- 8 3	3 5 2	4 12 8	2 8 1	2 4 7
Melksham - - - -	17 17 6	1 15 1	16 2 5	17 2 5	8 11 2	8 11 3
Melton Mowbray - - -	9 17 -	- 5 -	9 12 -	10 5 -	6 5 5	3 19 7
Merthyr Tydvil - - -	45 - -	3 5 -	41 15 -	52 16 8	22 16 7	30 - 1
Midhurst - - - -	4 4 10	- 2 7	4 2 3	4 1 9	2 10 11	1 10 10
Mildenhall - - - -	4 10 3	- 5 6	4 4 9	7 1 -	3 18 6	3 2 6
Mold and Flint - - -	15 5 10	1 14 10	13 11 -	43 8 7	25 3 4	18 5 3
Monmouth - - - -	13 12 -	- - -	13 12 -	- - -	- - -	- - -
Morpeth - - - -	66 8 6	5 5 5	61 3 1	31 12 5	20 3 5	11 9 -
Nantwich and Crewe - -	11 9 7	1 12 2	9 17 5	29 6 10	16 2 10	13 4 -
Narbeth - - - -	- - -	- - -	- - -	21 7 4	11 9 -	9 18 4
Neath - - - -	75 4 10	7 5 10	67 19 -	72 17 6	34 19 7	37 17 11
Newark - - - -	93 14 4	3 14 6	89 19 10	118 2 7	46 2 3	72 - 4
Newbury - - - -	6 6 3	- 3 9	6 2 6	8 9 4	5 - 2	3 9 2
Newcastle-in-Emlyn - -	1 7 8	- - -	1 7 8	- - -	- - -	- - -
Newcastle-upon-Tyne - -	96 - -	- - -	96 - -	125 8 2	75 16 8	49 11 6
Newcastle-under-Lyme - -	23 1 3	1 1 3	22 - -	36 8 2	20 9 2	15 19 -
Newent - - - -	- - -	- - -	- - -	- - -	- - -	- - -
New Malton - - - -	4 9 3	- 19 3	3 10 -	5 7 4	2 18 1	2 9 3
Newmarket - - - -	17 - 8	1 3 1	15 17 7	29 7 1	18 19 4	10 7 9
Newnham - - - -	14 - -	- - -	14 - -	23 18 1	11 7 11	12 10 2
Newport (Monmouth) - -	29 9 3	1 13 4	27 15 11	56 8 4	32 1 2	24 7 2
Newport and Ryde (Isle of Wight) - -	46 - -	2 - -	44 - -	55 8 2	37 - 3	18 7 11
Newport Pagnell - - -	11 6 -	- - -	11 6 -	35 17 4	18 18 4	16 19 -
Newport (Salop) - - -	24 15 7	2 11 8	22 3 11	23 12 7	13 4 4	10 8 3
Newton Abbott and Torquay - -	13 16 9	- 2 8	13 14 1	14 7 7	7 19 10	6 7 9
Newtown - - - -	27 8 8	1 12 5	25 15 3	69 16 3	39 9 1	30 7 2
Northallerton - - -	26 19 4	2 10 9	24 8 7	16 12 3	9 14 8	6 17 7
Northampton - - -	107 7 2	3 11 3	103 15 11	114 4 6	67 18 -	46 6 6
Northleach - - - -	2 7 2	- 12 7	1 14 7	10 17 10	2 9 9	8 8 1
North Shields - - -	1 15 8	- - -	1 15 8	35 - 8	22 17 7	12 3 1
North Walsham - - -	- - -	- - -	- - -	9 19 4	6 15 4	3 4 -
Northwich - - - -	29 10 2	- 7 8	29 2 6	46 12 2	25 5 10	21 6 4
Norwich - - - -	121 7 11	17 15 2	103 12 9	152 15 6	82 15 4	70 - 2
Nottingham - - - -	190 11 6	34 7 1	156 4 5	165 9 8	88 13 2	76 16 6
Nuneaton - - - -	3 - -	- - -	3 - -	4 - -	3 7 8	- 12 4
Oakham - - - -	5 17 -	- 2 6	5 14 6	20 8 9	11 17 3	8 11 6
Okehampton - - - -	2 - -	- - -	2 - -	4 - -	2 3 8	1 16 4
Oldbury - - - -	70 7 3	6 - 8	64 6 7	60 17 7	31 13 9	29 3 10
Oldham - - - -	57 19 -	1 11 10	56 7 2	55 15 7	36 7 2	19 8 5
Ormskirk - - - -	5 19 5	- 8 3	5 11 2	11 6 4	7 8 8	3 17 8
Oswestry - - - -	17 10 -	- 19 4	16 10 8	26 3 6	15 8 5	10 15 1
Otley - - - -	24 5 7	11 9 8	12 15 11	25 19 3	12 3 6	13 15 9
Oundle - - - -	1 9 6	- - -	1 9 6	4 8 7	2 3 9	2 4 10
Oxford - - - -	4 6 1	- 13 9	3 12 4	11 2 3	5 5 8	5 16 7
Pembroke - - - -	4 - -	- - -	4 - -	13 18 10	7 4 3	6 14 7
Penrith - - - -	76 10 3	3 2 7	73 7 8	76 14 7	33 6 8	43 7 11
Penzance - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Pershore - - - -	13 - 8	- 9 1	12 11 7	7 17 -	5 5 1	2 11 11
Peterborough - - - -	16 - -	- 10 -	15 10 -	22 4 4	11 16 6	10 7 10
Petersfield - - - -	1 8 -	- - 1	1 7 11	3 4 8	2 1 5	1 3 3
Petworth - - - -	- - -	- - -	- - -	21 15 11	8 15 1	13 - 10
Pocklington - - - -	5 3 6	- 9 4	4 14 2	6 11 -	3 8 6	3 2 6
Pontefract - - - -	73 1 7	9 3 2	63 18 5	89 10 10	44 3 -	45 7 10
Pontypool - - - -	104 4 5	98 19 1	5 5 4	20 14 2	11 12 11	9 1 3
Pontypridd - - - -	32 17 3	4 5 11	28 11 4	72 11 7	33 8 11	39 2 8
Poole - - - -	23 10 4	2 15 4	20 15 -	13 1 1	6 12 5	6 8 8
Portmadoc - - - -	15 13 4	- 2 6	15 10 10	22 17 8	12 7 8	10 10 -
Portsmouth - - - -	136 15 7	32 10 -	104 5 7	124 11 8	74 17 -	49 14 7

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Poulton-in-the-Fylde - - -	2 - -	- - -	2 - -	7 8 5	3 10 -	3 18 5
Presteigne - - - - -	2 15 -	- 5 10	2 9 2	3 18 4	2 5 -	1 13 4
Preston - - - - -	21 3 -	2 10 -	18 13 -	35 1 2	20 18 4	14 2 10
Pwllheli - - - - -	- - -	- 9 2	- - -	8 13 4	5 - 2	3 13 2
Ramsgate - - - - -	6 1 5	- 17 11	5 3 6	8 7 -	4 13 7	3 13 5
Reading - - - - -	40 12 1	6 17 5	33 14 8	45 17 -	23 13 -	22 4 -
Reigate - - - - -	6 7 5	- 15 5	5 12 -	18 11 6	11 8 6	7 3 -
Redditch - - - - -	5 4 8	- 1 5	5 3 3	10 19 4	5 16 10	5 2 6
Redruth - - - - -	49 11 1	5 14 2	43 16 11	101 6 7	66 2 7	35 4 -
Richmond (Yorkshire) - -	8 13 2	- 3 10	8 9 4	21 1 1	14 4 2	6 16 11
Ripon - - - - -	12 - 10	1 1 8	10 19 2	23 7 10	14 8 6	8 19 4
Rhayader - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Rochdale - - - - -	83 7 6	- 18 11	82 8 7	69 9 6	38 12 9	30 16 9
Rochester - - - - -	91 4 4	19 8 11	71 15 5	94 9 5	60 14 2	33 15 3
Rochford - - - - -	- 17 6	- - 6	- 17 -	12 6 4	7 4 3	5 2 2
Romney - - - - -	7 6 9	- 11 7	6 15 2	6 16 10	1 8 6	5 8 4
Romsey - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Ross - - - - -	3 - 6	- - 7	2 19 11	4 2 11	2 11 10	1 11 1
Rothbury - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Rotherham - - - - -	31 6 9	2 9 4	28 17 5	39 2 7	22 10 3	16 12 4
Royston - - - - -	4 6 3	- 12 5	3 13 10	9 5 -	5 9 2	3 15 10
Rugeley - - - - -	13 17 7	1 13 7	12 4 -	16 2 2	9 10 -	6 12 2
Rugby - - - - -	10 3 -	- 10 -	9 13 -	22 17 4	12 4 5	10 12 11
Ruthin - - - - -	6 2 8	- - 9	6 1 11	4 14 4	2 4 9	2 9 7
Runcorn - - - - -	28 13 9	3 15 -	24 18 9	55 4 1	30 2 6	25 1 7
Rye - - - - -	1 - -	- - -	1 - -	- - -	- - -	- - -
Saffron Walden - - - -	1 6 1	- 1 1	1 5 -	3 - 8	2 2 1	- 18 7
Scarborough - - - - -	7 18 6	- 7 6	7 11 -	9 13 2	4 16 8	4 16 6
Sandwich - - - - -	6 8 1	- 14 3	5 13 10	2 13 -	1 10 2	1 2 10
St. Asaph - - - - -	20 7 9	1 6 3	19 1 6	32 10 8	11 19 6	20 11 2
Seaham Harbour - - - -	5 12 5	- 6 7	5 5 10	- 19 7	- 9 7	- 10 -
St. Albans - - - - -	1 2 6	- - -	1 2 6	4 1 6	2 8 11	1 12 7
St. Austell - - - - -	6 13 10	- 12 5	6 1 5	36 4 4	20 11 9	15 12 7
St. Columb Major - - -	8 2 10	- 4 6	7 18 4	5 2 2	2 10 -	2 12 2
St. Helen's - - - - -	81 15 4	5 1 6	76 13 10	50 10 9	28 4 2	22 6 7
St. Neot's - - - - -	15 12 1	- 9 10	15 2 3	29 6 2	17 14 10	11 11 4
Saddleworth - - - - -	1 - -	- - -	1 - -	- 14 -	- - -	- 14 -
Salisbury - - - - -	20 4 3	- 17 11	19 6 4	14 1 -	6 12 7	7 8 5
Salford - - - - -	185 17 6	9 14 11	176 2 7	209 3 2	138 7 7	70 15 7
Selby - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Settle - - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Sevenoaks - - - - -	5 11 -	- - -	5 11 -	- - -	- - -	- - -
Shaftesbury - - - - -	18 17 10	- 19 11	17 17 11	15 5 10	8 8 1	6 17 9
Sheerness - - - - -	22 12 6	- - -	22 12 6	44 8 10	21 15 -	22 13 10
Shipston on Stour - - -	16 14 6	2 - 9	14 13 9	18 1 2	10 4 8	7 16 6
Shotley Bridge - - - -	14 7 6	- 8 11	13 18 7	13 9 10	6 - 2	7 9 8
Shrewsbury - - - - -	38 19 3	- 10 8	38 8 7	31 12 8	16 6 1	15 6 7
Sheffield - - - - -	307 15 5	119 18 3	187 17 2	284 1 1	183 4 4	100 16 9
Sittingbourne - - - -	3 3 -	- - -	3 3 -	14 4 -	7 17 8	6 6 4
Skipton - - - - -	- - -	- - -	- - -	11 6 10	7 7 11	3 18 11
Sleaford - - - - -	15 2 2	- 13 1	14 9 1	20 7 11	14 6 2	6 1 9
Soham - - - - -	5 19 8	- 6 -	5 13 8	5 14 4	3 3 9	2 10 7
Solihull - - - - -	14 2 -	- - -	14 2 -	- - -	- - -	- - -
Souham - - - - -	10 - -	4 - -	6 - -	3 19 -	1 7 9	2 11 3
Southampton - - - - -	147 10 9	7 10 9	140 - -	164 14 3	85 5 5	79 8 10
South Molton - - - - -	4 11 11	- 5 10	4 6 1	7 4 5	3 9 9	3 14 8
South Shields - - - -	7 - -	- - -	7 - -	10 16 1	5 16 9	4 19 4
Spalding - - - - -	18 11 -	- - -	18 11 -	19 2 6	11 8 8	7 13 10
Spilsby - - - - -	4 19 -	- 4 5	4 14 7	24 19 2	17 4 5	7 14 9
Stafford - - - - -	10 11 4	- 10 2	10 1 2	11 13 2	6 19 8	4 13 6
Stamford - - - - -	9 - 10	- 4 2	8 16 8	9 16 9	5 9 9	4 7 -
Stockton-on-Tees and Middles-	164 1 -	- 11 9	163 9 3	229 15 9	121 5 3	108 10 6
borough.						
Stokeport - - - - -	14 17 4	1 17 2	13 - 2	28 15 7	16 14 1	12 1 6
Stoke-upon-Trent and Longton	62 12 10	2 10 7	60 2 3	139 15 -	87 5 6	52 9 6
Stokesley - - - - -	20 1 6	- 16 11	19 4 7	26 7 2	15 18 7	10 8 7
Stone - - - - -	11 19 2	4 1 9	7 17 5	16 9 1	10 14 4	5 14 9

COUNTY COURTS—continued.

NAME OF COURT.	Registrar's Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Stourbridge - - - -	82 - 2	11 14 10	70 5 4	95 2 -	47 10 5	47 11 7
Stow - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Stowmarket - - - -	- - -	- - -	- - -	30 12 1	15 8 6	15 3 7
Stratford-on-Avon - - -	- - -	- - -	- - -	- - -	- - -	- - -
Stroud - - - -	7 19 6	- - -	7 19 6	29 9 9	16 3 4	12 16 5
Sudbury - - - -	7 6 1	- 7 2	6 18 11	25 13 11	13 10 5	12 3 6
Sunderland - - - -	59 14 9	2 8 7	57 6 2	106 6 9	50 6 -	56 - 9
Swaffham - - - -	15 16 -	2 12 8	13 3 4	9 12 -	6 3 7	3 8 5
Swansea - - - -	117 5 9	4 18 7	112 7 2	120 18 10	54 11 3	66 7 7
Swindon - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Tadcaster - - - -	24 17 1	1 5 5	23 11 8	31 14 11	16 2 7	15 12 4
Tamworth - - - -	7 6 4	2 16 -	4 10 4	4 6 -	2 - -	2 6 -
Taunton - - - -	4 9 4	- 4 3	4 5 1	10 15 7	5 4 1	5 11 6
Tavistock - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Temple Cloud - - - -	- - -	- - -	- - -	4 7 2	2 3 10	2 3 4
Tenbury - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Tenterden - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Tewksbury - - - -	19 4 5	- 9 1	18 15 4	11 13 6	5 2 2	6 11 4
Thame - - - -	8 2 7	- 16 2	7 6 5	5 18 4	2 19 -	2 19 4
Thetford - - - -	2 14 6	- - 4	2 14 2	12 2 11	6 17 2	5 5 9
Thirsk - - - -	- - -	- - -	- - -	2 17 8	1 13 8	1 4 -
Thornbury - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Thorne - - - -	- - -	- - -	- - -	26 4 5	13 9 5	12 15 -
Thrapstone - - - -	13 5 8	- 4 7	13 1 1	13 14 9	7 10 3	6 4 6
Tiverton - - - -	40 4 7	3 17 4	36 7 3	39 9 6	22 3 4	17 6 2
Todmorden - - - -	3 14 3	- 3 3	3 11 -	2 16 2	1 6 8	1 9 6
Tonbridge - - - -	5 9 1	- 2 -	5 7 1	7 17 2	4 11 8	3 5 6
Tonbridge Wells - - -	22 3 9	- 18 6	21 5 3	17 13 2	10 9 4	7 3 10
Torrington - - - -	5 11 3	- 3 10	5 7 5	3 8 2	1 14 4	1 13 10
Totness - - - -	12 17 5	- 6 7	12 10 10	28 9 2	13 2 3	15 6 11
Towcester - - - -	- - -	- - -	- - -	4 - 3	1 17 5	2 2 10
Tredegar - - - -	58 13 9	4 2 9	54 11 -	40 15 -	22 16 2	17 18 10
Trowbridge - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Truro - - - -	58 4 1	10 9 6	47 14 7	58 13 3	35 4 11	23 8 4
Ulverstone - - - -	24 6 9	2 8 9	21 18 -	88 16 5	42 2 2	46 14 3
Uppingham - - - -	4 7 10	- 5 3	4 2 7	13 15 8	7 2 8	6 13 -
Upton - - - -	10 3 1	1 6 4	8 16 9	31 11 1	23 2 10	8 8 3
Usk - - - -	2 - -	- - -	2 - -	7 10 4	4 - 11	3 9 5
Uttoxeter - - - -	8 4 2	- 8 3	7 15 11	20 2 3	11 8 5	8 13 10
Wakefield - - - -	42 16 5	- 6 1	42 10 4	69 5 2	35 9 9	33 15 5
Wallingford - - - -	7 12 10	- 3 2	7 9 8	18 11 7	10 1 6	8 10 1
Walsall - - - -	218 18 11	7 17 6	211 1 5	199 7 2	105 7 -	94 - 2
Wantage - - - -	11 3 2	1 2 1	10 1 1	22 16 -	13 1 2	9 14 10
Warrington - - - -	19 15 3	2 10 -	17 5 3	42 9 -	21 9 4	20 19 8
Watford - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Wareham - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Warminster - - - -	- - -	- - -	- - -	12 4 2	7 15 6	4 8 8
Warwick - - - -	22 18 9	- 6 10	22 11 11	45 12 8	24 2 4	21 10 4
Wem - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Wellingborough - - -	28 11 6	- 14 6	27 17 -	33 7 3	15 19 3	17 8 -
Weymouth - - - -	25 16 2	1 1 7	24 14 7	44 13 4	26 11 10	18 1 6
Wellington (Salop) - -	10 10 11	- 5 9	10 5 2	34 16 1	16 15 9	18 - 4
Wellington (Somerset) -	- - -	- - -	- - -	- - -	- - -	- - -
Welchpool - - - -	19 2 -	- 17 4	18 4 8	8 6 8	4 2 5	4 4 3
Wells (Somerset) - - -	35 13 5	2 6 9	33 6 8	64 14 1	35 16 6	28 17 7
Westbury - - - -	- - -	- - -	- - -	- - -	- - -	- - -
Weston-super-Mare - -	4 10 2	- 2 6	4 7 8	18 9 4	10 11 8	7 17 8
Whitchurch - - - -	6 1 6	1 4 8	4 16 10	10 15 6	6 14 4	4 1 2
Whitehaven - - - -	39 14 6	- 5 9	39 8 9	40 13 -	21 6 3	19 6 9
Whitby - - - -	24 10 10	1 17 11	22 12 11	23 7 6	13 11 11	9 15 7
Wigan - - - -	4 8 6	- - 4	4 8 2	10 8 6	4 19 7	5 8 11
Wigton - - - -	14 11 -	- 15 -	13 16 -	20 16 7	9 18 9	10 17 10
Wimborne Minster - -	15 18 -	2 1 -	13 17 -	20 3 2	10 - 1	10 3 1
Williton - - - -	- - -	- - -	- - -	11 12 8	5 2 3	6 10 5
Winchester - - - -	34 4 3	- 14 5	33 9 10	29 12 7	15 17 6	13 15 1
Wincanton - - - -	3 1 6	- 4 -	2 17 6	5 15 3	1 15 -	4 - 3

COUNTY COURTS—continued.

NAME OF COURT.	Registrars' Fees in Bankruptcy.			High Bailiffs' Fees in Bankruptcy.		
	Total Receipts.	Total Payments.	Net Remuneration.	Total Receipts.	Total Payments.	Net Remuneration.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Winchcomb - - - -	9 3 3	- 13 4	8 9 11	7 6 10	4 4 3	3 2 7
Windsor - - - -	26 10 3	3 4 8	23 5 7	53 15 10	29 6 8	24 9 2
Wirksworth - - - -	- - - -	- - - -	- - - -	8 12 3	4 16 3	3 16 -
Wisbeach - - - -	3 14 10	- 3 10	3 11 -	4 17 2	2 17 5	1 19 9
Witney - - - -	3 2 -	- 14 2	2 7 10	20 18 2	10 3 2	10 15 -
Wolsingham - - - -	20 2 6	3 11 -	16 11 6	21 6 2	10 18 3	10 7 11
Wolverhampton - - -	164 10 2	4 8 6	160 1 8	122 7 2	92 17 10	29 9 4
Woodbridge - - - -	23 2 10	- 5 5	22 17 5	28 15 2	15 2 11	13 12 3
Woodstock - - - -	4 10 11	- 8 4	4 2 7	3 17 -	1 16 -	2 1 -
Wooler - - - -	4 10 6	- 2 -	4 8 6	1 7 10	- 16 5	- 11 5
Worcester - - - -	115 5 8	3 9 -	111 16 8	146 4 6	91 8 11	54 15 7
Wrexham - - - -	37 18 8	2 1 7	35 17 1	65 7 8	36 8 5	28 19 3
Worksop - - - -	7 12 5	1 6 2	6 6 3	8 18 8	3 12 -	5 6 8
Worthing - - - -	22 16 3	2 4 -	20 12 3	8 16 4	4 13 1	4 3 3
Wymondham - - - -	2 8 8	- 5 2	2 3 6	11 13 6	6 11 2	5 2 4
Yarmouth - - - -	24 18 5	1 1 3	23 17 2	86 9 6	51 18 -	34 11 6
Yeovil - - - -	41 1 8	1 10 10	39 10 10	38 3 4	20 16 5	17 6 11
York - - - -	43 16 4	3 3 2	40 13 2	66 10 -	41 16 4	24 13 8
TOTAL - - - -	£. 12,981 10 5	1,498 5 11*	11,554 19 11	15,580 15 2	8,682 - -†	6,906 2 5

* In two courts the payments exceed the receipts by sums amounting together to 11 l. 15 s. 5 d.

† In three courts the payments exceed the receipts by sums amounting together to 7 l. 7 s. 3 d.

Note.—No returns have been received from the registrar of the County Court at Goole, or the high bailiff at Solihull, nor has any notice whatever been taken of the repeated applications made to these officers by the chief registrar for such returns.

ACCOUNTANT.

TOTAL REVENUE and EXPENDITURE of the COURT OF BANKRUPTCY.

RECEIPTS.		PAYMENTS.	
	£. s. d.		£. s. d.
Commissioners of Inland Revenue, Stamps - - - -	54,000 - -	Salaries - - - -	71,219 12 8
Dividends on Stock - - - -	48,601 - 9	Compensations - - - -	13,067 1 6
Official Assignees, Per-centage fees - - - -	243 16 8	Retiring Annuities - - - -	14,378 7 5
Official Assignees, Surplus remuneration fees (after payment of Clerks' salaries and office expenses) - - - -	13,352 14 1	Expenses: £. s. d.	
Messengers, surplus remuneration fees - - - -	8,257 8 8	London Courts and Offices - - - -	4,536 8 -
Paymaster General, for Compensations and Annuities - - - -	15,555 - -	District Courts - - - -	4,296 11 4
Paymaster General, for Salaries - - - -	1,213 13 -	Travelling Expenses of Commissioners, Registrars, &c. of District Courts - - - -	935 15 6
Chief Registrar, Solicitors' admission fees - - - -	79 10 -	Fees to County Court Registrars - - - -	9,768 14 10
Officers of late Insolvent Debtors' Court, fees - - - -	554 1 10	Bank Remuneration - - - -	5,108 - -
Brokerage - - - -	89 4 10	Solicitor for Pauper Prisoners - - - -	1,490 - 7
Rent of Premises under-let at Birmingham - - - -	100 - -	Costs of Prosecutions - - - -	1,674 7 11
Transfer from Purposes, 26th Section B. A., 1861, Account - - - -	2,111 6 7	Expense of visiting Gaols - - - -	2,431 9 7
Suspense Account, P. Johnson - - - -	399 18 3	Gaolers' fees - - - -	593 2 3
Suspense Account, G. J. Graham - - - -	351 15 11	Fees returned - - - -	111 3 -
Amount of Fine imposed for Contempt of Court - - - -	5 - -		13 2 7
Messengers, Deposit Account - - - -	500 - -	Investment in Reduced Three per Cents, to the credit of "Chief Registrar's Account" - - - -	119,855 2 4
TOTAL - - - -	£. 145,414 10 7		35,000 - -
		TOTAL - - - -	£. 154,855 2 4

TOTAL AMOUNT of MONEY Received and Paid by BANK of ENGLAND.

R E C E I P T S.				P A Y M E N T S.			
	£.	s.	d.		£.	s.	d.
General Account:				General Account:			
By Official Assignees and Creditors' Assignees - - - - -	592,773	9	4	To Orders of Commissioners; Costs of realising Assets - - - - -	109,226	1	9
By Sale of 25,000 <i>l.</i> Stock, Bankruptcy Fund Account - - -	22,687	10	-	To Dividends - - - - -	417,123	17	4
Sale of Exchequer Bills - - -	70,138	4	9	Transfers to unclaimed Dividend Account of unclaimed Dividends and undivided surpluses - - - - -	29,212	6	5
			625,599 4 1	Purchase of 27,855 <i>l.</i> 3 <i>s.</i> 1 <i>d.</i> Stock to the Credit of "The Bankruptcy Fund Account" - - - - -	25,000	-	-
Chief Registrar's Account:				Purchase of Exchequer Bills - - -	51,936	-	6
By Receipts - - - - -	143,303	4	-				632,498 6 -
By transfer from Purposes, &c., Account - - - - -	2,111	6	7	Chief Registrar's Account:			
			145,414 10 7	To Payments - - - - -	119,855	2	4
Unclaimed Dividend Account:				To Investment - - - - -	35,000	-	-
By Receipts - - - - -	1,695	11	8				154,855 2 4
Transfers from General Account - -	29,212	6	5	Unclaimed Dividend Account:			
			30,907 18 1	To Payments - - - - -	7,533	6	11
Purposes of 26th Section Account:				To Investment - - - - -	21,000	-	-
By Sale of Stock - - - - -	569	4	9				28,533 6 11
By Dividends on Stock, and Interest on Exchequer Bills - - - - -	5,039	19	11	Purposes of the 26th Section Account:			
			5,609 4 8	To Payments - - - - -	569	4	9
Provisional Assignees' Costs, Indemnity Fund Account:				Transfer to Chief Registrar's Account	2,111	6	7
By Receipts - - - - -	-	-	nil.				2,680 11 4
				Provisional Assignees' Costs, Indemnity Fund Account:			
				To Payments - - - - -	-	-	290 16 10
	£.		807,530 17 5				
					£.		818,858 9 5

CASH and STOCK BALANCES on 11 October 1867.

	Bankruptcy Fund Account.	General Account.	Chief Registrar's Account.	Unclaimed Dividend Account.	The Purposes of the 26th Section Account.	Provisional Assignees' Costs, Indemnity Fund Account.
	£.	s.	d.	£.	s.	d.
Cash - - - - -	-	-	65,801 18 2	21,409 11 11	3,262 10 2	2,928 13 4
Stock - - - - -	1,240,257 8 3	67,605 11 5	271,012 - 9	177,756 4 -	55,412 16 6	-
Exchequer Bills - - -	-	127,900 - -	- - -	- - -	63,100 - -	-

APPENDIX.

SALARIES.*

	£.	s.	d.		£.	s.	d.
Holroyd - London Commissioner	2,000	-	-	Chief Registrar's Offices— <i>cont^d</i>			
Goulburn - ditto	2,000	-	-	Smith, Chief Clerk	750	-	-
Winslow - ditto	2,000	-	-	Penn - Clerk	468	15	-
Abrahall - Country Commissioner	1,800	-	-	Ross - ditto	350	-	-
Ayrton - ditto	1,800	-	-	Watts - ditto	300	-	-
Andrews - ditto	1,800	-	-	Croly - ditto	362	10	-
Hill - ditto	1,800	-	-	Lamb - ditto	312	10	-
Jemmett - ditto	1,800	-	-	Smith - ditto	162	10	-
Perry - ditto	1,800	-	-	Heather - ditto	130	-	-
Sanders - ditto	1,800	-	-	Edwards - ditto	130	-	-
West - ditto	748	7	4	Wortham, Messenger	26	1	2
Miller - Chief Registrar	1,400	-	-				
Brougham - London Registrar	1,500	-	-	Master's Office :			
Hazlitt - ditto	1,500	-	-	Hester, Assistant Taxing Master	1,000	-	-
Keene - ditto	1,200	-	-	Ireland - Clerk	300	-	-
Murray - ditto	1,200	-	-	Denton - ditto	400	-	-
Pepys - ditto	1,200	-	-	Wrensted - ditto	325	-	-
Roche - ditto	1,200	-	-	Graham, London Official Assignee	1,200	-	-
Spring-Rice - ditto	1,200	-	-	Edwards - ditto	900	-	-
Gibson - Country Registrar	1,000	-	-	Parkyn - ditto	1,000	-	-
Harris - ditto	1,000	-	-	Stansfeld - ditto, and Provisional Assignee	900	-	-
Hill - ditto	1,000	-	-	Acraman, Country Official Assignee	1,000	-	-
King - ditto	1,000	-	-	Carriek - ditto	1,000	-	-
Lee - ditto	1,000	-	-	Harris - ditto	1,000	-	-
Macrae - ditto	1,000	-	-	Kinnear - ditto	1,000	-	-
Stephen - ditto	1,000	-	-	Laidman - ditto	800	-	-
Thring - ditto	1,000	-	-	Morgan - ditto	1,000	-	-
Tudor - ditto	1,000	-	-	Turner - ditto	1,000	-	-
Welch - ditto	865	7	8	Young - ditto	1,000	-	-
Wilde - ditto	1,000	-	-	Buccleugh, Registrar of Meetings	250	-	-
Yorke - ditto	134	12	3	Stacey, Clerk	287	10	-
Clarke, Accountant	1,500	-	-	Sims, Housekeeper	62	10	-
Higgins, Taxing Master	1,400	-	-	Austin - London Usher	200	-	-
Accountant's Office :				Carmichael - ditto	130	-	-
Saffery - Chief Clerk	900	-	-	Edwards - ditto	33	1	1
Evans - Clerk	537	10	-	Falkner - ditto	127	5	6
Price - ditto	437	10	-	Hanslow - ditto	40	-	-
Bayley - ditto	337	10	-	Johnson - ditto	200	-	-
Ansell - ditto	450	-	-	Slatter - ditto	100	-	-
Haines - ditto	400	-	-	Sutherin - ditto	100	-	-
Gibson - ditto	400	-	-	Wright - ditto	200	-	-
E. Saffery - ditto	375	-	-	Bolland - Country Usher	80	-	-
Willan - ditto	350	-	-	Clements - ditto	80	-	-
Fuller - ditto	325	-	-	France - ditto	80	-	-
C. Willan - ditto	287	10	-	Hancock - ditto	80	-	-
Lopez - ditto	300	-	-	Hotchkiss - ditto	80	-	-
Morris - ditto	345	4	11	Norman - ditto	80	-	-
Swift - ditto	175	-	-	Rawlinson - ditto	80	-	-
Roper, Messenger	145	-	-	Senior - ditto	50	17	9
Chief Registrar's Offices :				Williamson - ditto	80	-	-
Stewart, Secretary to Chief Registrar	500	-	-	L'Enfant - Clerk to Registrars	12	10	-
Kibble - Clerk	300	-	-	Manners - ditto	25	-	-
Stockton - ditto	250	-	-	Robinson - ditto	25	-	-
Smith - ditto	200	-	-	Officers of Insolvent Debtors' Court :			
Fisher - ditto	200	-	-	Warren - Clerk	195	-	-
Brown - ditto	200	-	-	Notson - ditto	227	10	-
Moorcock, Messenger	120	-	-	Burden - ditto	100	-	-
				Humphris, Messenger	100	-	-
				Lambert, Housekeeper	62	10	-
				Bester - ditto	50	-	-
					£.	71,219	12 8

* Note.—The Return gives the actual payments made between 12th October 1866 and 11th October 1867, and includes in some cases a quarter's salary due 11th October 1866, but not paid until on or after the 12th.

COMPENSATIONS

To late Country Commissioners, 5 & 6 Vict. c. 122, s. 58.

	£.	s.	d.		£.	s.	d.
Maddy - - - - -	409	-	-	Radford - - - - -	8	-	-
Colling - - - - -	31	-	-	Russell - - - - -	13	-	-
Jeffreys - - - - -	11	-	-	Fletcher - - - - -	42	-	-
Lovegrove - - - - -	12	-	-	Hare - - - - -	36	-	-
Oxenham - - - - -	177	-	-	Palmer - - - - -	31	-	-
Tanner - - - - -	62	-	-	Milne - - - - -	149	-	-
Cooper - - - - -	51	-	-	Bloxsome - - - - -	13	-	-
Douglas - - - - -	174	-	-	Bradley - - - - -	14	-	-
Schomberg - - - - -	61	-	-	Eckley - - - - -	11	-	-
Addison - - - - -	109	-	-	Gregson - - - - -	36	-	-
Croft - - - - -	29	-	-	Wedgwood - - - - -	160	-	-
Deane - - - - -	141	-	-	Daniel - - - - -	34	-	-
Dewa - - - - -	7	-	-	Hulton - - - - -	118	-	-
Ellison - - - - -	28	-	-	Pearman - - - - -	11	-	-
Goode - - - - -	47	-	-	Haworth - - - - -	35	-	-
Marshall - - - - -	357	-	-	Burmster - - - - -	95	-	-
Peake - - - - -	39	-	-	Sparling - - - - -	8	-	-
Stansfeld - - - - -	283	-	-	Moser - - - - -	8	-	-
Stansfeld - - - - -	57	-	-	Whatley - - - - -	13	-	-
Bartleet - - - - -	325	-	-	Wright - - - - -	11	-	-
Bloome - - - - -	89	-	-	Eddison - - - - -	47	-	-
Burnside - - - - -	169	-	-	Horsford - - - - -	28	-	-
Bowles - - - - -	30	-	-	Patterson - - - - -	19	-	-
Carlyon - - - - -	12	-	-	Winter - - - - -	5	-	-
Fawcett - - - - -	44	-	-	Evans - - - - -	32	-	-
Turner - - - - -	20	-	-	Roberts - - - - -	4	-	-
Gaunt - - - - -	68	-	-	Badham - - - - -	15	-	-
Ingham - - - - -	41	-	-	Peele - - - - -	23	-	-
Merrifield - - - - -	80	-	-	Pinchard - - - - -	14	-	-
Marris - - - - -	13	-	-	Dobinson - - - - -	4	-	-
Sidebottom - - - - -	23	-	-	Greetham - - - - -	15	10	2
Smith - - - - -	5	-	-	Compigné - - - - -	6	16	3
Tireman - - - - -	176	-	-	Paul - - - - -	30	-	-
Bohun - - - - -	10	-	-	Ryland - - - - -	94	-	-
Foquett - - - - -	20	-	-	Bayly - - - - -	27	-	-
Cooper - - - - -	10	-	-	Maybery - - - - -	21	-	-
Stevenson - - - - -	52	-	-	Griffith - - - - -	6	-	-
Deacon - - - - -	18	-	-	Godfrey - - - - -	5	-	-
Falconer - - - - -	15	-	-	Cooper - - - - -	7	10	6
Fearnley - - - - -	133	-	-				
Stone - - - - -	32	-	-	Under 1 & 2 Will. 4, c. 56, s. 52:			
Thompson - - - - -	61	-	-	Thurlow, Patentee of Bankrupts - - -	7,352	14	6
Tyrrell - - - - -	188	-	-				
Allen - - - - -	86	-	-	Under 1 & 2 Will. 4, c. 56, s. 53:			
Greene - - - - -	12	-	-	Learmouth, Lord Chancellor's Messenger	200	-	-
Palmer - - - - -	50	-	-				
Wasney - - - - -	249	-	-				
Palmer - - - - -	14	-	-				
Elsley - - - - -	53	10	1				
Jacomb - - - - -	81	-	-				
					£.	13,067	1 6

RETIRING ANNUITIES.

	£.	s.	d.		£.	s.	d.
Skirrow - Country Commissioner - - -	250	-	-	Fraser - - Official Assignee - - -	666	13	4
West - - ditto - - - - -	701	1	8	Hernaman - - ditto - - - - -	558	10	1
Whitehead, Chief Registrar - - -	933	6	8	Hope - - - ditto - - - - -	666	13	4
Carew - Registrar - - - - -	666	13	4	Hirtzell - - ditto - - - - -	666	13	4
Parry - - ditto - - - - -	666	13	4	Pott - - - ditto - - - - -	500	-	-
Pollock - - ditto - - - - -	666	13	4	Whitmore - - ditto - - - - -	666	13	4
Payne - - ditto - - - - -	500	-	-	Rivers - - Clerk - - - - -	333	6	8
Simons - - ditto - - - - -	666	13	4	Joseph - - ditto - - - - -	266	13	4
Waterfield - ditto - - - - -	666	13	4	Chambers - - ditto - - - - -	213	6	8
Wilde - - ditto - - - - -	666	13	4	Crossman - - ditto - - - - -	50	-	-
Bell - Official Assignee - - -	800	-	-	Bullivant - Messenger - - -	266	13	4
Pennell - - ditto - - - - -	800	-	-	Crocker - - ditto - - - - -	72	2	4
Whitmore - ditto - - - - -	800	-	-				
Baker - - ditto - - - - -	666	13	4				
					£.	14,378	7 5

EXPENSES.

LONDON COURTS AND OFFICES.		£.	s.	d.
Rates and taxes -	-	400	16	2
Bouchard, painting, carpentering, &c. -	-	696	-	1
Ellis, upholsterer -	-	16	5	6
Gaywood, coals -	-	77	4	-
Abraham, architect's fees -	-	34	12	8
Fowler - ditto -	-	21	-	-
Wood & Son, stationers -	-	100	18	7
Williams, notice books -	-	14	17	-
Stevens, law books -	-	22	16	-
Diaries -	-	5	9	6
Horton, firewood -	-	20	-	-
Reynell, gazettes -	-	7	12	4
Thwaites, clocks, &c. -	-	4	19	6
Kelly, London Gazette -	-	1	10	-
Binding reports -	-	1	14	-
Ushers, care of library -	-	30	-	-
Buccleugh, rent -	-	100	-	-
Porters' wages -	-	177	-	-
Housekeeper's disbursements for servants' wages, &c. -	-	174	9	11
Watson, clocks, &c. -	-	72	12	6
Chief Registrar's Office, Basinghall-street:				
Wood & Son, stationery, &c. -	-	801	8	2
Aldridge & Co., solicitor's charges -	-	299	2	9
Cannan, rent -	-	40	-	-
Kibble, postages and petty expenses -	-	57	13	3
Johnson, assistance on records -	-	54	12	-
Chief Registrar's Office, Chancery-lane:				
Downing, stationery, &c. -	-	393	-	-
Van de Linde, services as clerk -	-	60	-	-
Smith, assistance in returns -	-	28	6	8
Lamb, T., extra services -	-	14	15	-
Lamb, A. J. - ditto -	-	20	18	-
Harvey, coals -	-	15	-	-
Owen, printing -	-	25	-	-
Kent, clocks -	-	1	1	-
Lynch, carpet cleaning -	-	1	-	-
Smith, petty expenses -	-	9	12	7
Ross - ditto -	-	5	3	-
Window cleaning -	-	1	4	3
Ironmonger -	-	-	11	6
Bowman, laundress -	-	41	12	2
Accountant's Office:				
Bruce and Ford, stationery, &c. -	-	399	17	10
Postage, services, and incidental expenses -	-	66	3	11
Master's Office:				
Austin & Fisher, stationery -	-	26	-	6
Wood & Son - ditto -	-	21	15	1
Schaffer, despatch box -	-	3	19	-
Hart, pens -	-	1	13	8
Late Insolvent Debtors' Court:				
London Gazettes -	-	15	9	-
Lambert, Housekeeper -	-	112	10	-
Bester - ditto -	-	29	-	-
Postages and petty expenses -	-	10	-	-
£.		4,536	8	-

COUNTRY DISTRICT COURTS.	£.	s.	d.
Birmingham -	1,005	6	3
Bristol -	413	4	3
Exeter -	216	5	1
Leeds -	898	6	10
Liverpool -	519	2	9
Manchester -	900	5	3
Newcastle -	344	-	11
£.	4,296	11	4

TRAVELLING EXPENSES.		£.	s.	d.
Birmingham -	-	405	4	6
Exeter -	-	127	14	6
Leeds -	-	402	16	6
£.		935	15	6

Costs of Prosecution :		£.	s.	d.
Jonathan Nicholson, re	80	6	6	
Josiah Arrowsmith, re	267	14	9	
Henry Milburn, re	103	4	10	
Silas Alloway, re	62	13	10	
William Hutchings, re	16	4	8	
J. Bentley, re	101	13	10	
Morris Levi, re	1,292	19	5	
M. Robinson, re	506	11	9	
	2,431	9	7	

Expenses of visiting Gaols:		£.	s.	d.
Registrars in Bankruptcy -	137	1	5	
Registrars in County Court -	416	17	-	
Clerk attending Registrars in London -	39	3	10	
	593	2	3	

5 March 1868.

J. F. Miller, Chief Registrar.

BANKRUPTCY COURT.

GENERAL RETURN by the CHIEF REGISTRAR
of the COURT, for the Year ending 11 October
1867.

(Presented pursuant to Sect. 67 of "The Bankruptcy Act,
1861," 24 & 25 Vict. c. 134.)

*Ordered by The House of Commons, to be Printed,
6 March 1868.*

CORONATION, &c. OATHS.

RETURN to an Address of the Honourable The House of Commons,
dated 26 March 1868 ;—*for*,

“ COPIES of the OATH taken by the SOVEREIGN at the CORONATION ;”

“ And, of all OATHS and DECLARATIONS prescribed to be taken by MEMBERS of the LEGISLATURE since 1829.”

By an Act of the 1 Gul. & Mar., c. vi, entitled “ An Act for establishing the Coronation Oath,” it is enacted,—

“ That the Oath herein mentioned and hereafter expressed, shall and may be administered to their most Excellent Majesties King William and Queen Mary (whom God long preserve) at the time of their Coronation, in the presence of all persons that shall be then and there present at the solemnising thereof, by the Archbishop of Canterbury or the Archbishop of York, or either of them, or any other Bishop of this Realm whom the King's Majesty shall thereunto appoint, and who shall be hereby thereunto respectively authorised ; which Oath followeth, and shall be administered in this manner ; that is to say,

“ The Archbishop or Bishop shall say,—

“ Will you solemnly promise to govern the people of this Kingdom of England, and the Dominions thereunto belonging, according to the Statutes in Parliament on, and the Laws and Customs of the same ?

“ The King and Queen shall say, .

“ I solemnly promise so to do.

“ Archbishop or Bishop,—

“ Will you, to your power, cause Law and Justice in Mercy to be executed in all your judgments ?

“ King and Queen,—

“ I will.

“ Archbishop or Bishop,—

“ Will you, to the utmost of your power, maintain the Laws of God, the true profession of the Gospel, and the Protestant Reformed Religion established by Law ? and will you preserve unto the Bishops and Clergy of this Realm, and to the Churches committed to their Charge, all such Rights and Privileges as by Law do or shall appertain unto them, or any of them ?

“ King and Queen,—

“ All this I promise to do.

"After this, the King and Queen, laying his and her hand upon the Holy Gospels, shall say,

"King and Queen,—

"The things which I have here before promised, I will perform and keep, *So help me, God!*

"Then the King and Queen shall kiss the Book.

"And be it further enacted, That the said Oath shall be in like manner administered to every King or Queen who shall succeed to the Imperial Crown of this Realm at their respective Coronations," &c.

OATHS and DECLARATIONS prescribed to be taken by MEMBERS of the LEGISLATURE since 1829.

By the Act of 29 Vict. c. 19, entitled "An Act to amend the Laws relating to Parliamentary Oaths," it is enacted, that—

"The Oath to be made and subscribed by Members of both Houses of Parliament, on taking their seats in every Parliament, shall be in the form following:—

"I, A. B., do swear that I will be faithful, and bear true allegiance to Her Majesty Queen Victoria; and I do faithfully promise to maintain and support the Succession to the Crown as the same stands limited and settled by virtue of the Act passed in the reign of King William the Third, intituled 'An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' and of the subsequent Acts of Union with Scotland and Ireland; So help me, God!

"Every person of the persuasion of the people called Quakers, and every other person for the time being by law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, may, instead of taking and subscribing the Oath hereby appointed, make and subscribe a solemn Affirmation in the form of the Oath hereby appointed, substituting the words 'solemnly, sincerely, and truly declare and affirm,' for the word 'swear,' and omitting the words 'So help me, God!'"

CORONATION, &c. OATHS.

COPIES of the OATH taken by the SOVEREIGN
at the CORONATION; and of all OATHS and
DECLARATIONS prescribed to be taken by
MEMBERS of the LEGISLATURE since 1829.

(*Mr. Neville-Grenville.*)

*Ordered, by The House of Commons, to be Printed,
1 April 1868.*

CORONATION, &c. OATHS.

FURTHER RETURN to an Address of the Honourable The House of Commons,
dated 26 March 1868 ;—*for*,

“ COPIES of the OATH taken by the SOVEREIGN at the CORONATION : ”

“ And, of all OATHS and DECLARATIONS prescribed to be taken by MEMBERS
of the LEGISLATURE since 1829.”

By the Act 5 Anne, c. 8 (“ An Act for an Union of the two Kingdoms of England and Scotland ”), Article XXV., sect. viii., it is enacted,—

“ That after the Demise of Her Majesty (whom God long preserve) the Sovereign next succeeding to Her Majesty in the Royal Government of the Kingdom of Great Britain, and so for ever hereafter, every King or Queen succeeding and coming to the Royal Government of the Kingdom of Great Britain, at his or her Coronation, shall, in the presence of all persons who shall be attending, assisting, or otherwise there and then present, take and subscribe an Oath to maintain and preserve inviolably the said settlement of the Church of England, and the Doctrine, Worship, Discipline, and Government thereof, as by Law established within the Kingdoms of England and Ireland, the Dominion of Wales, and Town of Berwick-upon-Tweed, and the Territories thereunto belonging.”

Pursuant to this enactment the following is the prescribed Form of Oath and the manner of administering it, as shown in “ The Form and Order of Her Majesty’s Coronation.”

“ SECTION VII.

“ *The Oath.*”

“ The Sermon being ended, and Her Majesty having on Monday the 20th day of November 1837, in the presence of the two Houses of Parliament, made and signed the Declaration, the Archbishop goeth to the Queen, and standing before Her, administers the Coronation Oath, first asking the Queen,—

“ Is Your Majesty willing to take the Oath ?

and the Queen answering,—

“ I am willing,

the Archbishop ministereth these questions ; and the Queen, having a copy of the printed Form and Order of the Coronation Service in Her hands, answers each question severally, as follows,—

“ Archbishop,—

“ Will you solemnly promise and swear to govern the people of this United Kingdom of Great Britain and Ireland, and the Dominions thereto belonging, according to the Statutes in Parliament agreed on, and the respective Laws and Customs of the same ?

“ Queen,—

“ I solemnly promise so to do.

“ Archbishop,—

“ Will you to your power cause Law and Justice, in Mercy, to be executed in all your Judgments ?

“ Queen,—

“ I will.

“ Archbishop,—

“ Will you, to the utmost of your power, maintain the Laws of God, the true profession of the Gospel, and the Protestant Reformed Religion established by Law ? and will you maintain and preserve inviolably the Settlement of the United Church of England and Ireland, and the Doctrine, Worship, Discipline, and Government thereof, as by Law established within England and Ireland and the Territories thereunto belonging ? and will you preserve unto the Bishops and Clergy of England and Ireland, and to the Churches there committed to their Charge, all such Rights and Privileges as by Law do or shall appertain to them, or any of them ?

“ Queen,—

“ All this I promise to do.

“ Then the Queen arising out of Her chair, supported as before, and assisted by the Lord Great Chamberlain, the Sword of State being carried before Her, shall go to the Altar, and there being uncovered, make Her solemn Oath in the sight of all the People, to observe the premisses ; laying Her right hand upon the Holy Gospel in the Great Bible, which was before carried in the procession, and is now brought from the Altar by the Archbishop, and tendered to Her as She kneels upon the steps, saying these words,—

“ The things which I have here before promised, I will perform and keep ; *So help me, God !*

“ Then the Queen kisseth the Book, and signeth the Oath.”

CORONATION, &c. OATHS.

FURTHER RETURN.

COPIES of the OATH taken by the SOVEREIGN
at the CORONATION ; and of all OATHS and
DECLARATIONS prescribed to be taken by
MEMBERS of the LEGISLATURE since 1829.

(*Mr. Neville-Grenville.*)

Ordered, by The House of Commons, to be Printed,
19 May 1868.

191—1.

Under 1 oz.

COURT OF CHANCERY.

A RETURN from the ACCOUNTANT-GENERAL of the HIGH COURT of CHANCERY, pursuant to the 63rd Section of an Act passed in the Fifth Year of Her Majesty Queen VICTORIA, intituled "An Act to make further Provisions for the Administration of Justice," showing the State of the several Funds in his Name, called "THE SUITORS' FUND," and "THE SUITORS' FEE FUND," and the Charges upon the same respectively.

(PRESENTED PURSUANT TO ACT OF PARLIAMENT.)

Ordered, by The House of Commons, to be Printed,
14 February 1868.

THE SUITORS' FUND for the Year commencing - - - - -

	CASH.	CASH.	STOCK.
	£. s. d.	£. s. d.	£. s. d.
To Cash paid Accountant-General's Salary as Master - - - - -	590 - -		
" Pensions to retired Masters - - - - -	7,375 - -		
" Compensation to Chief Clerks to Masters, pursuant to Act 15 & 16 Vict. c. 80 - - - - -	3,736 13 4		
" Ditto to four Junior Clerks to Masters - - - - -	1,966 13 4	13,668 6 8	
" Salaries of eleven Assistant Clerks to Registrars - - - - -	1,507 12 7		
" Pensions to two retired Registrars - - - - -	3,045 17 6		
" Pension to one retired Registrars' Clerk - - - - -	629 6 8		
" Ditto to one retired Assistant Clerk to Registrars - - - - -	47 15 9		
" Ditto to retired Registrars' Bag-bearer - - - - -	119 3 8	5,349 16 2	
" Accountant General's Salary - - - - -	885 - -		
" Expenses of office, office-keeper, stationery, &c. - - - - -	442 10 -		
" Forty-three Clerks' Salaries - - - - -	9,270 12 4		
" Pensions to five retired Clerks - - - - -	3,559 10 10	14,157 13 2	
Officers of the Lord Chancellor's Court:			
" Courtkeeper - - - - -	88 10 -		
" Persons to keep order - - - - -	295 - 1		
" Tipstaff - - - - -	196 13 4		
" Two Clerks in Secretary's Office - - - - -	368 15 -		
" Pensions to person to keep order, and Stoker - - - - -	30 5 10	979 4 3	
Officers of the Lords Justices' Court:			
" Secretaries - - - - -	785 11 11		
" Ushers - - - - -	491 13 5		
" Trainbearers - - - - -	196 13 5		
" Persons to keep order - - - - -	171 3 7	1,645 2 4	
Officers of the Vice-Chancellor Malins' Court:			
" Secretary - - - - -	368 15 1		
" Usher - - - - -	195 18 11		
" Trainbearer - - - - -	97 19 6		
" Persons to keep order - - - - -	196 13 4	859 6 10	
Officers of the Vice-Chancellor Stuart's Court:			
" Secretary - - - - -	295 - -		
" Usher - - - - -	196 13 4		
" Trainbearer - - - - -	122 18 4		
" Persons to keep order - - - - -	197 15 -	812 6 8	
Officers of the Vice-Chancellor Wood's Court:			
" Secretary - - - - -	295 - -		
" Usher - - - - -	196 13 4		
" Trainbearer - - - - -	98 6 8		
" Persons to keep order - - - - -	196 13 4	786 13 4	
" Assistant Junior Clerks, and two Temporary Assistant Clerks to Judges - - - - -	- - -	1,566 18 6	
" One temporary Chief Clerk and three Junior Clerks to Judges - - - - -	- - -	1,872 17 5	
" Surveyor's Salary - - - - -	- - -	39 6 8	
" Pensions to two Junior Clerks to Judges - - - - -	- - -	270 8 8	
" Pension to one Clerk to Taxing Masters - - - - -	- - -	18 4 9	
" Solicitor to Suitors' Fund, in lieu of costs - - - - -	1,200 - -		
" Ditto - - - - - additional Salary for duties imposed by Act 23 & 24 Vict. c. 149 - - - - -	295 - -		
" Ditto - - - - - for Insurance Premiums, and other Disburse- ments - - - - -	48 7 4	1,543 7 4	
" Compensation to Officers of the Court of Exchequer - - - - -	- - -	3,185 11 1	
" Ditto to the Doorkeeper and Crier of the Court, Deputy Secretary of Decrees and Injunctions, and one Clerk in the late Clerks of Accounts' Office - - - - -	- - -	867 6 -	
" Expenses of Courts and of Registrars' Offices, and Report and other Offices, for rent, repairs, rates, stationery, coals, candles, gas, &c. - - - - -	- - -	3,871 6 8	
To Stock sold (part of Surplus Interest Fund) to raise 438,000 <i>l.</i> , pursuant to the Courts of Justice Building Act, 1865, Section 8 - - - - -	- - -	- - -	483,270 1 2
Total Payments and Sales of Stock - - - - -	£.	51,493 16 6	483,270 1 2
Surplus Interest carried over to the "Suitors' Fee Fund Account," as directed by the Act 15 & 16 Vict. c. 87, s. 53 - - - - -	- - -	103,512 11 5	-
	£.	155,006 7 11	483,270 1 2

THE SUITORS' FEE FUND ACCOUNT

	£.	s.	d.	£.	s.	d.
To Cash paid Officers of the Courts of the Lord Chancellor, Master of the Rolls, and Vice-Chancellors, pursuant to Act 15 & 16 Vict. c. 87						
Salaries to ten Senior Clerks to the Master of the Rolls and the Vice-Chancellors	13,759	5	3	7,391	11	1
Ditto to eighteen Junior Clerks to ditto ditto	7,300	-	-			
Salary to one Assistant Junior Clerk	150	-	-			
Rent, &c. of Chambers	1,247	3	9			
Compensation to one Master	-	-	-	22,456	9	-
Salaries to twelve Registrars	-	-	-	725	-	-
Allowances for writing to Registrars, under 2 & 3 Will. 4, c. 94, s. 48, and 5 Vict. c. 5, s. 63	17,428	10	8			
Salaries to Registrars' Clerks	1,122	5	8			
Bag bearers to Registrars	6,966	16	11			
Salaries to two Clerks of Entries	300	-	-			
	700	-	-			
Salary attached to the Office of Master of Reports and Entries, under Act 18 & 19 Vict. c. 134	-	-	-	26,517	13	3
Pension to a retired Examiner	937	10	-	750	-	-
Salaries to two Examiners	3,000	-	-			
Ditto to two Clerks to Examiners	622	10	-			
Salaries, &c., under 5 & 6 Vict. c. 84, and Lunacy Regulation Acts, 1853 and 1862:				4,560	-	-
To Cash paid two Masters in Lunacy, Salaries	4,000	-	-			
Ditto Travelling Expenses	843	19	6			
Ditto Expenses of Offices	174	10	1			
Salaries to nine Clerks to Masters in Lunacy	3,500	-	-			
Salary to Registrar in Lunacy	800	-	-			
Salaries to four Clerks to Registrar in Lunacy	960	-	-			
Pension to a late Master in Lunacy	1,000	-	-			
Visitors of Lunatics, Salaries	4,125	-	-			
Ditto Travelling Expenses	1,815	12	6			
Salary to Secretary of Visitors	300	-	-			
Salaries to four Clerks to Visitors	1,019	8	2			
Pension to a late Visitor	250	-	-			
Pension to late Chief Clerk to the Masters and Secretary of Visitors	916	13	4			
Expenses of Office of Visitors	67	15	9			
Rent of Premises for Masters in Lunacy and Visitors of Lunatics	837	10	-			
Compensation to a late Clerk of Affidavits	-	-	-	20,610	9	4
Salaries, &c., under 5 & 6 Vict. c. 103:				800	-	-
To Cash paid seven Taxing Masters, Salaries	14,000	-	-			
Salaries to fourteen Clerks to Taxing Masters	4,894	5	10			
Messenger to Taxing Masters	200	-	-			
Rent of Taxing Masters' Offices	900	-	-			
Salary to Clerk of Enrolments	1,200	-	-			
Salaries to three Clerks to Clerk of Enrolments	750	-	-			
Salaries to three Clerks of Records and Writs	4,200	-	-			
Salaries to fifteen Clerks to Clerks of Records and Writs	3,750	-	-			
Salary to Office Keeper and Messenger to Clerks of Records and Writs	280	-	-			
Clerks and Messengers in Report Office, under 18 & 19 Vict. c. 134	-	-	-	30,174	5	10
Salaries to two Clerks of the Petty Bag Office, under 12 & 13 Vict. c. 110	-	-	-	1,482	16	10
Accountant-General, in lieu of Brokerage, under 15 & 16 Vict. c. 87, s. 19	-	-	-	850	-	-
Increased Salary to some of the Accountant-General's Clerks, under 15 & 16 Vict. c. 87, s. 39	-	-	-	2,700	-	-
Compensation to late Clerks of Accounts, under 15 & 16 Vict. c. 87	-	-	-	2,137	10	-
Office Keeper at the late Masters' Offices for the care of the Deeds, Books, Documents, and Papers heretofore under the custody of the Masters	-	-	-	775	-	-
Compensation for loss of Office and Profits, under 5 & 6 Vict. c. 103:				80	-	-
To Cash paid twelve Sworn Clerks	15,171	18	6			
One Agent to ditto	923	3	4			
				16,095	1	10
To Cash paid Copy Money for Writing and Copying in the Offices of the Clerk of Enrolments, the Clerks of Records and Writs, the Registrar in Lunacy, and the Clerks of Entries, and for Printing Affidavits				11,750	12	11
Expenses of the various Courts and Offices for Stationery, Coals, Candles, Gas, Servants' Wages, Rates and Taxes, and for Furniture and Repairs, &c.				5,868	8	1
Chancery Broker, salary, in lieu of Brokerage				2,000	-	-
TOTAL PAYMENTS	£.			157,724	18	2

ACCOUNT OF MONIES PLACED OUT TO PROVIDE FOR THE OFFICERS OF THE

	CASH.			STOCK.		
	£.	s.	d.	£.	s.	d.
Interest carried over to "Suitors' Fee Fund Account," under 15 & 16 Vict. c. 87, s. 54	-	-	-	8,895	10	-
Balance, 24th November 1867	-	-	-	-	-	-
	£.	8,895	10	-	201,028	2 3
					201,028	2 3

from the 24th November 1866 to the 25th November 1867.

	£.	s.	d.
By Cash Paid in by the Clerk of the Crown, Clerk of Patents, and Pursebearer, on account of Fees formerly payable to the Lord Chancellor	1,793	10	4
„ Brought over from various Causes, Matters, and Accounts, in lieu of Fees formerly paid at the Taxing Masters' Offices	12,026	19	-
„ Brought over on account of Per-centages on Income from Matters and Accounts in Lunacy	6,268	10	-
„ Paid in by Clerk of Enrolments	5,603	4	6
„ Paid in by Clerk of Petty Bag Office	225	17	-
„ Paid in for Poundage under the Winding-up Acts	257	11	1
„ Paid in by the Commissioners of Inland Revenue, in respect of Money received by them for Chancery Fee Fund Stamps	56,413	6	3
„ Paid in by the Solicitor to the "Suitors' Fund," received by him in respect of Rent of Chambers	88	10	-
„ Paid in by the Serjeant-at-Arms	12	10	4
By Interest brought over from "Money arising from Sale of the Six Clerks' Office"	67	3	-
„ Surplus Interest brought over from "the Suitors' Fund," under 15 & 16 Vict. c. 87, s. 53	103,512	11	5
„ Interest brought over from "Monies placed out to provide," &c., under 15 & 16 Vict. c. 87, s. 54	8,895	10	-
„ Cash paid in for Brokerage, under 15 & 16 Vict. c. 87	9,843	3	5
TOTAL RECEIPTS	£. 235,008	6	4
Add Balance of Cash, 24th November 1866	85,661	-	8
	£. 320,669	7	-
Deduct Total Payments for the Year	157,724	18	2
Balance of Cash, 24th November 1867	£. 162,944	8	10

HIGH COURT OF CHANCERY, from the 24th November 1866 to the 25th November 1867.

	CASH.	STOCK.
	£. s. d.	£. s. d.
Balance on 24th November 1866	2,965 3 4	201,028 2 3
Interest received during the year	5,930 6 8	-
	£. 8,895 10 -	201,028 2 3

COURT OF CHANCERY.

RETURN of the State of the SUTORS' FUNDS
standing in the Name of the Accountant-General
of the Court of Chancery, and the Charges
upon the same.

(Presented pursuant to Act of Parliament.)

*Ordered, by The House of Commons, to be Printed,
14 February 1868.*

COURT OF PROBATE.

AN ACCOUNT of the ANNUAL SALARIES of the JUDGE, REGISTRARS, CLERKS, and all Others holding Offices in the COURT of PROBATE in *England*, together with the ACCOUNT of all FEES and MONIES received in the Year ended 31 December 1867;—

ALSO,

A RETURN of all COMPENSATIONS payable under the Authority of the PROBATE ACT for *England* during that Year.

(*Presented pursuant to Act 20 & 21 Vict. c. 77, s. 114.*)

Ordered, by The House of Commons, to be Printed,
24 June 1868.

COURT OF PROBATE, PRINCIPAL REGISTRY.

RETURN of the ANNUAL SALARIES of the JUDGE of the COURT of PROBATE, and of the REGISTRARS, CLERKS, and all Others holding Office in the said Court, and attached to the Principal Registry, London, 31st December 1867 (made pursuant to the 114th Section of the 20 & 21 Vict. c. 77).

NAME.	APPOINTMENT.	Salary.		From what Fund the Salaries are defrayed.
		£.	s.	
Right Honourable Sir James Plaisted Wilde, Knight	As Judge of the Court of Probate (20 & 21 Vict. c. 77, s. 9).	4,000	-	Consolidated Fund.
	As Judge Ordinary of the Court for Divorce and Matrimonial Causes (20 & 21 Vict. c. 85, s. 65).	1,000	-	
Augustus Frederic Bayford		1,600	-	Moneys Voted by Parliament.
Charles John Middleton		1,500	-	
Edward Francis Jenner	Registrars	1,500	-	
Henry Linwood Strong		1,000	-	
Edward Archer Wilde	Secretary to the Judge	300	-	
William Cresswell		300	-	
Thomas W. H. Oakley	Clerks to the Registrars	300	-	
John Toke Faussett		300	-	
Herbert A. R. Jenner		300	-	
Alexander George Middleton	Second Clerk to the Senior Registrar.	210	-	
William Kitching		725	-	
Frederick Kruckenberg		725	-	
Samuel Chadwick	Principal Clerks of Seats	725	-	
John Powell		725	-	
William Samuel Berry		725	-	
Henry Alfred Boulton		725	-	
Charles Desborough Bedford	Principal Clerk, Correspondence Department.	700	-	
John Augustus Beames		450	-	Moneys Voted by Parliament.
Henry Culverhouse Watts		450	-	
George Daniel Chadwick	First Assistant Clerks of Seats	450	-	
George Middleton		450	-	
Montagu Herbert Jenner		450	-	
Joshua Earles		450	-	
David Henry Owen	First Assistant Clerk, Correspondence Department.	450	-	
Edward Eames Heathfield		260	-	
William Charles Butler		200	-	
Seymour Montagu Leslie	Second Assistant Clerks of Seats	250	-	
Thomas Pritchard		260	-	
Thomas Howard Montague		260	-	
William Henry Timbrell		260	-	
Rose Fuller	Second Assistant Clerk, Correspondence Department.	260	-	
Herbert Francis Lascelles		150	-	Moneys Voted by Parliament.
Geo. A. B. Bridgeman-Simpson		85	-	
John G. Douglas Willan	Third Assistant Clerks of Seats	150	-	
William Horace Fleming		150	-	
William Gambier Middleton		150	-	
Amyatt Edmund Ray		150	-	
Edwin Tom Rogers	Third Assistant Clerk, Correspondence Department.	150	-	
Henry Pickering Clarke	First Clerk, Personal Applications Department.	600	-	
Henry Roberts Howard	Second Clerk, ditto	450	-	
Frederick R. B. Walton	Third Clerk, ditto	260	-	
Henry M. Chapman	Fourth Clerk, ditto	130	-	
John Smith	Record Keeper	600	-	
	and as Accountant	100	-	
Joseph Frederick Coleman	Record Keeper	600	-	
	and as Clerk of Notations	100	-	
Carried forward - - £.		26,085	-	

COURT OF PROBATE, PRINCIPAL REGISTRY—continued.

NAME.	APPOINTMENT.	Salary.		From what Fund the Salaries are defrayed.
		£.	s.	
	Brought forward - - -	26,085	-	
Henry Smith - - -	- - -	365	-	
William Brooks - - -	- - -	400	-	
George Hook Rodman - - -	- - -	450	-	
David Theodore Stephens - - -	- - -	365	-	
John Mumford - - -	- - -	210	-	
John C. C. Smith - - -	- - -	210	-	
William Edward Mackrill - - -	- - -	150	-	
Arthur Henry Mead - - -	- - -	150	-	
William Gough Walbancke - - -	- - -	150	-	
George Edward Taplin - - -	- - -	150	-	
Walter George Vincent - - -	Assistants to Record Keepers -	150	-	
Frederick Neville - - -	- - -	150	-	
Charles Augustus Este Wells - - -	- - -	110	-	
Charles Crozier - - -	- - -	110	-	
Heseltine A. Owen - - -	- - -	110	-	
David Stephens - - -	- - -	110	-	
Frederick Peter Nicholls - - -	- - -	110	-	
Frederick George Seton - - -	- - -	110	-	
James Kennerley Hemp - - -	- - -	110	-	
Windham H. R. Ryves - - -	- - -	85	-	
Charles E. Billinge - - -	- - -	85	-	
Redmond Carroll - - -	Assistant Clerk of Notations -	210	-	
William James Heard - - -	Second Assistant ditto -	150	-	
Thomas Clifton Paris - - -	Superintendent of Literary Inquiries.	300	-	
George William Whitaker - - -	Examiner of Stamp Fee Accounts.	365	-	
Robert Simons, jun. - - -	First Assistant to ditto -	210	-	
William Henry McAlpine - - -	Second Assistant to ditto -	210	-	
Henry J. D. Urquhart - - -	Third Assistant to ditto -	110	-	
Baldwin Dacres Adams - - -	Fourth Assistant to ditto -	80	-	
Thomas Crestwell - - -	Clerk for counting Folios -	150	-	
George Jarvis Foster - - -	Clerk of the Papers -	520	-	
Charles Frederick Ford - - -	First Assistant to ditto -	365	-	
James Berwick Davison - - -	Second Assistant to ditto -	150	-	
James Ford - - -	Senior Calendar Keeper -	400	-	
George Clement - - -	First Assistant to ditto -	200	-	
Philip Gerald Dillon - - -	Second Assistant to ditto -	80	-	
Thomas Charlton Chadwick - - -	Superintendent, Printed Calendar -	365	-	
George Frederick Billinge - - -	First Assistant, ditto -	365	-	
George Frederick Stubbs - - -	Second Assistant, ditto -	260	-	
Charles Murray Scott - - -	Third Assistant, ditto -	150	-	
Richard Powell - - -	Fourth Assistant, ditto -	150	-	
Oswald William Fuller - - -	Fifth Assistant, ditto -	150	-	
George Robert Harman - - -	Sealer - - -	300	-	
Robert Simons - - -	Clerk for cancelling Stamps -	210	-	
Henry Charles Edwards - - -	First Clerk, Divorce and Matrimonial Causes Department.	520	-	
Joseph George Bly - - -	Second ditto - - -	365	-	
William Thomas Tingle - - -	Third ditto - - -	150	-	
Conrad Adderley Dillon - - -	Fourth ditto - - -	110	-	
Henry Augustus Jenner - - -	Fifth ditto - - -	80	-	
Samuel William Shaw - - -	Superintendent of Copies of Wills, Inland Revenue Department.	365	-	
John Sagers - - -	First Assistant to ditto -	210	-	
Thomas William Simons - - -	Second Assistant to ditto -	150	-	
Thomas Hobbs - - -	First Examiner of Copies of Wills, Inland Revenue Department.	300	-	
Thomas Burder Wilson - - -	Second ditto - - -	260	-	
Charles Groom - - -	Third ditto - - -	260	-	
Thomas Hutchinson - - -	Fourth ditto - - -	210	-	
James Green - - -	First Reader to ditto -	150	-	
Richard Bickerton - - -	Second Reader to ditto -	150	-	
Henry John Layton - - -	Third Reader to ditto -	150	-	
Joseph Thomas Astle - - -	Fourth Reader to ditto -	125	-	
	Carried forward - - £.	38,930	-	

Moneys Voted by Parliament.

COURT OF PROBATE, PRINCIPAL REGISTRY—*continued.*

N A M E.	A P P O I N T M E N T.	Salary.	From what Fund the Salaries are defrayed.
		£. d.	
	Brought forward - - -	38,930 -	
Francis Barlow - - -	Examiners of Copies of Wills for Probate - - -	300 -	Moneys Voted by Parliament.
Samuel Elliott - - -		260 -	
William Michael Payne - - -	200 -		
Lancelot Charles Irons - - -	First Reader to ditto - - -	150 -	
Harold Theodore Brown - - -	Second Reader to ditto - - -	80 -	
Clement Bettesworth Harris - - -	Third Reader to ditto - - -	80 -	
William Livick Ives - - -	Clerk for issuing Receipts - - -	150 -	
Ebenezer Pritchard - - -	Assistant to ditto - - -	150 -	
John William Seton - - -	First Examiner of Registered Wills.	300 -	
Robert Ford - - -	Second ditto - - -	260 -	
William Robert Hall - - -	First Reader to ditto - - -	150 -	
Thomas Layton - - -	Second Reader to ditto - - -	130 -	
William Rawood - - -	Clerk of Searches - - -	210 -	
Alfred Wallis - - -	Superintending Clerk of Searches	150 -	
Frederick Jiggins - - -	- - - - -	110 -	
Edward James - - -	- - - - -	110 -	
Ernest Heathfield - - -	- - - - -	110 -	
James Martin Dreaper - - -	Assistant Clerks of Searches -	110 -	
Harcourt Turner - - -		110 -	
Henry Elliott Fox - - -		110 -	
Charles Seppings - - -		85 -	
Vacant - - -	- - - - -	80 -	
William Westbrook - - -	Book Shewers - - -	150 -	
Joseph Murray - - -		150 -	
Alfred Kirk - - -		150 -	
AT WESTMINSTER :			
George Thomas Billinge - - -	Crier, Clerk of the Rules and Orders, and Principal Clerk to the Judge.	600 -	
Frederick Damer Cape - - -	Assistant Clerk - - -	250 -	
Alfred Bowden - - -	Usher - - -	150 -	
James Maskell - - -	Usher (Prerogative Court) - - -	150 -	
James Goodbody - - -	Doorkeeper and Messenger - - -	100 -	
MESSENGERS :			
William Copeland - - -	First Class - - -	97 10	
George Head - - -		80 -	
Thomas Holt - - -		97 10	
William Langley - - -		97 10	
Josiah Andrews - - -		97 10	
William Taylor - - -	Second Class - - -	77 10	
James Russell - - -		77 10	
Thomas Morgan - - -		77 10	
George Scutts - - -		77 10	
Stephen B. Grimstone - - -		77 10	
Abraham Clifford - - -	Supernumerary Clerks on the Record Keeper's Staff - - -	150 -	
John Terry - - -		100 -	
Edward Wallis Mackrill - - -		100 -	
Thomas Alexander Nash - - -		100 -	
Charles William Ruse - - -		100 -	
		£. 45,432 10	

COURT OF PROBATE, PRINCIPAL REGISTRY—continued.

AN ACCOUNT of all INCIDENTAL EXPENSES relating to the said Court, for the Year ended 31st December 1867.

	£.	s.	d.	£.	s.	d.
Amount paid to clerks for copies furnished to the Inland Revenue Office - - -	2,605	2	11			
Amount paid to clerks for registering wills - - -	1,533	17	6			
Amount paid to clerks for copying for the public - - -	1,285	7	7			
				5,424	8	-
Amount paid for housekeeping - - -	358	12	8			
Amount paid for incidental expenses - - -	451	7	6			
Amount paid for petty cash - - -	49	14	5			
				859	14	7
	£.			6,284	2	7

DISTRICT REGISTRARS (ENGLAND AND WALES).

RETURN of SALARIES and ALLOWANCES of the DISTRICT REGISTRARS of the COURT of PROBATE in *England and Wales*, in the Year ended 31st December 1867.

Registry.	Name of Registrar.	Amount.	REMARKS.	Registry.	Name of Registrar.	Amount.	REMARKS.
		£. s. d.				£. s. d.	
Bangor -	Roberts, H. B. -	400 - -			Brought forward - -	13,078 5 2	
Birmingham -	Doherty, J. -	950 - -		Lincoln -	Swan, J. -	850 - -	
Blandford -	Smith, E. A., and	300 - -		Liverpool -	Crook, R. G. -	900 - -	
	Johns, F. T. -			Llandaff -	Huckwell, T. -	400 - -	
Bodmin -	Collins, J. B. -	600 - -		Manchester -	Burder, J. -	1,200 - -	
Bristol -	Clarke, C. J. -	700 - -		Newcastle -	Jobling, M. L. -	600 - -	
Bury St. Edmunds -	Wodehouse, C. -	250 - -		Northampton -	Gates, W. B. -	300 - -	
Canterbury -	Cullen, W. H. -	400 - -		Norwich -	Kitson, J. -	850 - -	
Carlisle -	Mounsey, G. G. -	850 - -			Hawkridge, B. -	415 15 2	To 30 Oct. 1867.
Carmarthen -	Davis, V. -	500 - -		Nottingham -	Wilde, C. T. E. -	63 - 10	From 4 Nov. 1867.
Chester -	Parry, C. T. W. -	950 - -		Oxford -	Davenport, J. M. -	600 - -	
Chichester -	Johnson, E. W. -	250 - -		Peterborough -	Gates, H. P. -	500 - -	
Derby -	Simpson, J. J. -	700 - -		St. Asaph -	Wyatt, C. W., and	400 - -	
Durham -	Davison, J. -	600 - -			Sisson, R. S. -		
Exeter -	Turner, C. H. -	1,200 - -		Salisbury -	MacDonald, F. -	400 - -	
Gloucester -	Holt, T. -	700 - -		Shrewsbury -	Cope, W. -	600 - -	
Hereford -	Evans, T. -	400 - -		Taunton -	Kinglake, R. A. -	400 - -	
	Steward, C. -	308 3 -	To 5 July 1867.	Wakefield -	Langhorne, J. B. -	1,400 - -	
Ipswich -	Dennis, G. T. -	220 2 2	From 23 July 1867.	Wells -	Roche, J. J. -	400 - -	
Lancaster -	Sharp, J. -	850 - -		Winchester -	Woodbridge, C. -	600 - -	
Leicester -	Nevinson, G. H. & T. -	600 - -		Worcester -	Clifton, A. H., and	600 - -	
Lewes -	Hunt, B. H. -	400 - -			Hooper, A. C. -		
Lichfield -	Fell, W. -	950 - -		York -	Buckle, J. -	1,200 - -	
Carried forward - -	£.	13,078 5 2			TOTAL - -	£. 25,757 1 2	

RETURN of the SUMS paid to the REGISTRARS of the undermentioned REGISTRIES, for Stationery, and Binding and Copying Wills, in the Year ended 31st December 1867.

Registry.	Stationery Allowance.	Copying.	Binding Wills.	TOTAL.	Registry.	Stationery Allowance.	Copying.	Binding Wills.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.	£. s. d.
Bangor - - -	1 - -	- - -	2 11 -	3 11 -	Brought forward	33 10 -	485 7 10	62 6 -	581 3 10
Birmingham - -	2 5 -	90 5 3	5 - 6	97 10 9	Lincoln - - -	2 5 -	- - -	- - -	2 5 -
Blandford - - -	1 - -	- - -	- - -	1 - -	Liverpool - -	2 10 -	51 16 -	2 6 -	56 12 -
Bodmin - - -	1 10 -	- - -	- - -	1 10 -	Llandaff - - -	1 - -	- - -	1 6 -	2 6 -
Bristol - - -	1 10 -	- - -	4 6 -	5 16 -	Manchester - -	2 15 -	174 8 7	- 8 -	177 11 7
Bury St. Edmunds -	1 - -	- - -	- 15 6	1 15 6	Newcastle - -	1 10 -	- - -	1 1 -	2 11 -
Canterbury - - -	1 - -	- - -	- 15 -	1 15 -	Northampton -	1 - -	- - -	2 5 6	3 5 6
Carlisle - - -	2 5 -	- - -	1 - -	3 5 -	Norwich - - -	2 5 -	79 3 6	3 7 6	84 16 -
Carmarthen - - -	1 10 -	- - -	- 10 -	2 - -	Nottingham - -	1 10 -	- - -	1 3 -	2 13 -
Chester - - -	2 5 -	- - -	3 - -	5 5 -	Oxford - - -	1 10 -	- - -	6 17 6	8 7 6
Chichester - - -	1 - -	- - -	1 15 -	2 15 -	Peterborough -	1 10 -	- - -	- 17 6	2 7 6
Derby - - -	1 10 -	91 9 6	1 13 6	94 13 -	St. Asaph - - -	1 - -	- - -	1 16 -	2 16 -
Durham - - -	1 10 -	- - -	- - -	1 10 -	Salisbury - - -	1 - -	- - -	2 15 -	3 15 -
Exeter - - -	2 15 -	142 11 3	29 15 -	175 1 3	Shrewsbury - -	1 10 -	- - -	- 19 6	2 9 6
Gloucester - - -	1 10 -	- - -	1 17 6	3 7 6	Taunton - - -	1 - -	- - -	2 4 -	3 4 -
Hereford - - -	1 10 -	- - -	1 16 -	3 6 -	Wakefield - -	3 10 -	377 16 4	9 6 6	390 12 10
Ipswich - - -	1 10 -	- - -	- 18 -	2 8 -	Wells - - -	1 - -	- - -	2 17 6	3 17 6
Lancaster - - -	2 5 -	- - -	1 4 -	3 9 -	Winchester - -	1 10 -	- - -	- - -	1 10 -
Leicester - - -	1 10 -	- - -	- - -	1 10 -	Worcester - - -	1 10 -	- - -	1 10 -	3 - -
Lewes - - -	1 - -	- - -	1 10 -	2 10 -	York - - -	2 15 -	- - -	1 5 6	4 - 6
Lichfield - - -	2 5 -	161 1 10	3 19 -	167 5 10					
Carried forward -	33 10 -	485 7 10	62 6 -	581 3 10	TOTAL - - £.	66 - -	1,168 12 3	104 12 -	1,339 4 3

RETURN of the AMOUNTS paid for SALARIES to the CLERKS in the undermentioned DISTRICT REGISTRIES, in the Year ended 31st December 1867.

Registry.	Name of Clerk.	Salary.	REMARKS.	Registry.	Name of Clerk.	Salary.	REMARKS.
		£. s. d.				£. s. d.	
Bangor	Watkins, J.	150			Brought forward	7,963 18 2	
	Jones, J.	80		Liverpool	Lewis, H.	250	
	Edwards, O.	40			Hignett, W.	150	
Birmingham	Rabnett, J.	250			Jones, H.	110	
	Cooper, J. F.	140			Newbold, J.	90	
	Rabnett, G.	70			Jones, J.	22 13 10	Resigned 27 April 1867.
Blandford	James, W.	70			Humble, A.	70	
	Cooke, F. C.	120			Burcher, A. W.	70	
Bodmin	Coom, F. E.	150		Llandaff	Rees, T. B.	150	
	George, T.	100			Wilkes, J.	13 13	Resigned 1 April 1867.
	Coom, R.	80			Thomas, T. C.	85	70 l. to 30 June, 100 l. from 1 July.
Bristol	Robjant, R.	180		Manchester	Davies, W.	40 19	54 l. 12 s. from 1 Apr 1867.
	Robjant, R. D.	130			Wright, R. W.	400	
	Cornish, A. P.	60			Cutler, H. J.	200	
	Owen, C. R.	30			Wright, R. D.	125	
Bury	Dilwarth, J.	120			Jones, W.	80	
	Matthews, E.	70			Greene, R.	75	
Canterbury	Cullen, W. H.	150		Newcastle	Wright, C. A.	70	
	Pilcher, J. M.	100			Bell, W.	150	
Carlisle	Bulman, T.	200			Ridley, D. N.	75	
	Lowrie, J.	97 8 4	70 l. to 31 Jan., and 100 l. from 1 Feb. 1867.		Jobling, E.	60	
	Jones, C. J.	68 5 6	50 l. to 31 Jan., and 70 l. from 1 Feb. 1867.	Northampton	Cattle, G.	150	
	Barnes, J. J.	45 13 10	50 l. from 1 Feb. 1867.		Bull, W.	100	
Carmarthen	Jones, J. J.	150		Norwich	Bensley, W. T.	140	
	Leakie, H.	80			Butler, T. B.	140	
	Evans, W.	90			Edwards, T. P.	41 1 9	Resigned 1 Aug. 1867.
Chester	Heppel, W.	300			Butler, T.	11 12	70 l. from 1 Nov. 1867.
	Foden, C.	130		Nottingham	Harrison, T.	150	
	Turner, C.	140			Rossel, G.	80	
	Cotgreave, G.	78			Stumbles, S.	70	
	Jones, J.	65			Smith, H.	40	
	Joynson, J.	65		Oxford	Davis, J.	150	
	Spencer, G.	39			Harris, C. H.	80	
Chichester	Holmes, G.	72 10 6	To 24 June 1867.		Barker, G. W.	50	
	Heather, H.	110	70 l. to 30 June, and 150 l. from 1 July.	Peterborough	Greene, H.	150	
	Inkson, W., jun.	31	From 22 July 1867.		Blake, H. J.	120	
Derby	Eason, G.	200		St. Asaph	English, H.	65	
	Burton, W. H.	150			Roberts, R.	149 17 9	150 l. from 5 Jan. 1867.
Durham	Peel, H. A.	150			Pugh, D.	80	
	Jackson, W.	75		Salisbury	Gerard, R.	50	
	Medd, R.	80			Yerham, R.	150	
Exeter	Gould, J. B.	300			Young, H.	80	
	Way, G.	150			Young, T.	50	
	Greenslade, J. G.	110		Shrewsbury	Stevens, H.	150	
	Tothill, R.	100			Cope, E.	67 10	Resigned 1 Oct. 1867.
	Way, G., jun.	80			Smith, B.	63 15	55 l. to 30 Sept., and 90 l. from 1 Oct. 1867.
Gloucester	Woodward, T.	150			Denning, J.	713 15	55 l. from 1 Oct. 1867.
	Stephens, F. H.	80		Taunton	Upham, W.	150	
	Woodward, W.	50			Oxley, E.	100	
	Brewer, A.	50			Murray, F. B.	55	
Hereford	Lane, T.	150					50 l. to 30 Sept., and 60 l. from 1 Oct. 1867.
	Earle, W.	90		Wakefield	Williamson, W.	388 17 2	Died 11 Nov. 1867.
	Arnold, C.	50			Alderson, W. B.	277 14 4	450 l. from 11 Nov. 1867.
Ipswich	Chamberlain, H.	150			Wales, B.	140	
	Hobart, C.	80			Paver, P. W.	151 5 11	250 l. from 11 Nov. 1867.
	Hubbard, G. W.	50			Heptonstall, W. J.	83	120 l. from 11 Nov. 1867.
Lancaster	Winder, W.	170			Smith, T.	114 17 7	140 l. from 11 Nov. 1867.
	Winder, W. H.	100			Peace, J.	4 15 8	80 l. from 10 Dec. 1867.
	Wilcock, E. E.	62			Clapham, E.	44 8 5	70 l. from 13 May 1867.
	Rainford, W.	62		Wells	Ellicott, L.	150	
Leicester	Southey, W.	150			Oxley, H.	100	
	Jackson, F. F.	75			Gleaves, T. L.	49 11 1	50 l. from 5 Feb. 1867.
	Smith, E.	37 10	Resigned Oct. 1867.	Winchester	Wooldridge, C.	150	
	Barker, W. R.	9 15 8	50 l. from 21 Oct. 1867.		Brooks, W.	94 3 1	100 l. from 1 Aug. 1867.
Lewes	Battersby, E.	150			Griffin, E.	69 15 6	70 l. from 5 Jan. 1867.
	Coles, J. G.	90		Worcester	Davis, J.	140	
Lichfield	Bown, J.	250			Wilson, T.	90	150 l. from 1 July 1867.
	Austen, W.	140			Davis, A. E.	55	100 l. from 1 July 1867.
	Parker, A.	50			Todd, J.	250	60 l. from 1 July 1867.
Lincoln	Wilson, J.	250		York	Simpson, J.	145	
	Scott, H.	110			Birks, E. C.	95	150 l. from 1 July 1867.
	Coulson, E. E.	72 10	70 l. to 30 June, 75 l. from 1 July.		Bulmer, R.	70	100 l. from 1 July 1867.
	Robinson, B.	38 4 3	From 30 May 1867 at 65 l.		Dyson, B.	60	
Carried forward		£. 7,963 18 2		TOTAL		£. 15,672 5 1	

Stationery Expenses (average) - - - - - £. 4,416.

AMOUNT EXPENDED by the BOARD of WORKS in *England* on account of the PROBATE COURT in *London* and the DISTRICT REGISTRIES in *England* and *Wales*, during the Year ended 31st December 1867.

For Rent, Repairs, &c. - - - - - £. 10,892. 3. 1.

COURT OF PROBATE, PRINCIPAL REGISTRY.

RETURN for the Year ended 31st December 1867, of all FEES and MONEYS levied in such Year, under the authority of 20 & 21 Vict. c. 77.

Amount of Fees :	£. s. d.	£. s. d.
On grants of probate, &c., including sealing Irish and Scotch grants - - -	- - -	42,077 1 9
For office copies for the public - - - - -	4,351 6 6	
For journeys and attendances - - - - -	110 8 -	
For collating office copies, &c. - - - - -	349 13 6	
	4,811 8 -	
Less the amount for office copies, journeys, and collating, received by the Record keepers on account of the Court for Divorce and Matrimonial Causes, and which is included in the amount returned from that Court - -	466 12 6	4,344 15 6
38,904 searches made by the public - - - - -	- - -	1,945 4 -
Amount of Fees :		
For exemplifications of probate, &c. - - - - -	313 13 6	
For reading to and searching for the public - - - - -	25 11 -	
For registering commissions - - - - -	43 8 -	
For sealing office copies, deposits of wills, &c. - - - - -	71 12 6	
	£. s. d.	
Received for correspondence for searches and examinations, &c. - -	337 12 6	
	£. s. d.	
Less amount paid for office copies - - - - -	207 8 2 1/2	
Less amount returned, received in excess, &c. - - - - -	14 12 6	
Paid for postage - - - - -	13 4 6	
	234 19 -	
	102 13 6	556 18 6
For correspondence department - - - - -	- - -	4,124 16 9
For department for personal applications - - - - -	- - -	2,289 7 -
For clerk of papers - - - - -	- - -	1,875 2 6
For Court for Divorce and Matrimonial Causes - - - - -	- - -	2,512 16 -
On oaths administered by Registrars on <i>de bonis</i> grants, &c. - - - - -	- - -	22 18 -
	£.	59,749 - -

DISTRICT REGISTRIES.

RETURN for the Year ended 31st December 1867, of all FEES and MONEYS levied in such Year, under the authority of the Act 20 & 21 Vict. c. 77.

	£. s. d.		£. s. d.		£. s. d.
Bangor - - -	686 2 -	Brought forward -	20,415 3 -	Brought forward -	46,532 3 9
Birmingham - -	2,243 10 9	Gloucester - -	1,936 8 3	Nottingham - -	1,092 9 3
Blandford - - -	554 19 3	Hereford - - -	1,038 2 9	Oxford - - -	1,680 10 3
Bodmin - - -	1,128 11 -	Ipswich - - -	1,322 12 -	Peterborough -	1,084 17 -
Bristol - - -	1,637 4 3	Lancaster - - -	2,258 17 9	St. Asaph - - -	721 1 9
Bury St. Edmunds -	583 19 9	Leicester - - -	1,129 8 9	Salisbury - - -	862 5 -
Carlisle - - -	1,805 2 9	Lewes - - -	982 15 3	Shrewsbury - -	1,733 12 9
Carmarthen - - -	948 16 3	Lichfield - - -	2,342 12 6	Taunton - - -	998 3 9
Canterbury - - -	955 7 -	Lincoln - - -	1,787 7 9	Wakefield - - -	6,624 3 -
Chester - - -	3,040 1 3	Liverpool - - -	3,594 17 3	Wells - - -	847 12 6
Chichester - - -	505 6 -	Llandaff - - -	1,096 - 6	Winchester - -	1,399 - 9
Derby - - -	1,640 16 9	Manchester - - -	4,419 3 6	Worcester - - -	1,388 7 -
Durham - - -	1,486 12 6	Newcastle - - -	1,436 1 9	York - - -	2,927 8 -
Exeter - - -	3,198 13 6	Norwich - - -	2,093 19 3		
		Northampton -	678 13 6		
Carried forward £.	20,415 3 -	Carried forward £.	46,532 3 9	TOTAL - - - £.	67,771 14 9

COMPENSATION AND SUPERANNUATION ALLOWANCES.

No. 1.—RETURN of all COMPENSATIONS (chargeable on the Consolidated Fund) to PROCTORS and OFFICERS of the late ECCLESIASTICAL and PREROGATIVE COURTS in *England and Wales*, in the Year ended 31st December 1867, as shown in Parliamentary Papers, Nos. 133 of 1861; 132 of 1862; 87 of 1863; 124 of 1864; 230 of 1865; 142 of 1866; and 286 of 1867.

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
Addams, Richard	Proctor, Prerogative Court of Canterbury.	398 2 9	Beckett, Sir Thomas	Registrar, Consistory Court of Bristol, Diocese of Gloucester and Bristol.	114 - 11
Alcock, Rev. J. Price	Clerical Surrogate, Diocese of Canterbury.	1 3 6	Beddoe, H. C.	Proctor, Hereford	46 9 5
Alder, Rev. Hen. Robt.	Clerical Surrogate, Diocese of York	16 18 7	Bedford, Charles Desborough.	Proctor, Prerogative Court of Canterbury.	460 19 7
Aldridge, Henry Mooring.	Registrar, Royal Peculiar of Great Canford and Poole, Diocese of Salisbury.	27 19 6	Bell, Rev. John Harrison.	Clerical Surrogate, Diocese of London, 1 <i>l.</i> 8 <i>s.</i> per annum, unclaimed.	—
Allbutt, Rev. Thomas	Clerical Surrogate, Diocese of York, to 10 March 1867, at 67 <i>l.</i> 16 <i>s.</i> 9 <i>d.</i> a year.	13 - -	Belli, Rev. Charles Almeric.	Registrar, Commissary Court for Parts of Essex and Herts, Diocese of London.	103 11 3
Allen, Rev. George	Clerical Surrogate, York	16 17 6	Berkley, Robert	Apparitor General, Consistory Court, Durham.	10 12 7
Allen, Rev. William Maxey.	Clerical Surrogate, Diocese of Norwich, 12 <i>l.</i> 9 <i>s.</i> 6 <i>d.</i> per annum, not claimed.	—	Berry, John	Proctor, Canterbury	100 - -
Anderson, Rev. Richd.	Clerical Surrogate, Diocese of Chester.	12 14 11	Berry, Mrs. Sarah	Registrar, Consistorial Decanal Court of Wells, Diocese of Bath and Wells.	12 18 1
Appach, Reginald	Proctor, Prerogative Court of Canterbury.	584 4 9	Bickersteth, the Ven. Archdeacon E.	Archdeacon of Buckingham, Diocese of Oxford.	10 - 3
Appleby, Robert	Apparitor, Consistory Court of Lincoln, 1 <i>l.</i> 13 <i>s.</i> 1 <i>d.</i> per annum, not claimed.	—	Birch, Rev. Joseph	Clerical Surrogate, Diocese of York	15 18 -
Atkinson, Rev. J. B.	Surrogate, Winchester	6 16 2	Bishop, Charles	Proctor, Prerogative Court of Canterbury.	10 4 6
Ayrton, Alfred	Proctor, Consistorial Court of Chester.	431 5 3	Bishop, Wm. Richard	Proctor, Consistorial Episcopal Court of Exeter.	48 11 8
Bagot, Rev. Charles Walter.	Vicar General and Official Principal, Consistorial Episcopal Court of Wells, Diocese of Bath and Wells.	10 14 6	Blackburn, Henry	Proctor, Prerogative Court of Canterbury.	172 10 9
Bailey, Samuel	Registrar, Archdeaconry Court of Bedford, Diocese of Lincoln.	36 8 11	Blake, Thomas	Deputy Judge, Prerogative Court of Canterbury.	40 - -
Barber, James, jun.	Deputy Mandatory, Prerogative Court of Canterbury.	16 13 4	Blake, Thomas	Proctor, Prerogative Court of Canterbury.	413 19 -
Barker, Richard	Registrar, Peculiar of Hawarden, Diocese of Llandaff.	16 19 10	Bloxam, George Bromwich.	Proctor, Prerogative Court of Canterbury.	71 13 9
Barlow, Arthur Thos. Pratt.	Proctor, Prerogative Court of Canterbury.	248 15 1	Bonner, Benjamin	Proctor, Consistory Court of Gloucester, Gloucester and Bristol.	13 16 5
Barlow, James Pratt	Proctor, Prerogative Court of Canterbury.	497 10 3	Bouwens, Rev. Theodore.	Registrar, Archdeaconry Court of Exeter.	130 - -
	Deputy Registrar, Archdeaconry Court of Surrey, Diocese of Winchester.	7 5 3	Bowdler, Charles	Examiner, Prerogative Court of Canterbury.	322 - -
Barnes, Ralph	Proctor, Consistorial Episcopal Court of Exeter.	56 2 1		Proctor, Prerogative Court of Canterbury.	254 6 -
	Deputy Registrar, Consistorial Episcopal Court of Exeter.	88 3 10	Bowker, Frederick	Clerk in Registry, Archdeaconry Court of Winchester.	44 1 -
Barrington, Hon. and Rev. L. J.	Registrar, Consistory Court of Durham.	381 6 3		Proctor, Consistory Court, Winchester.	127 7 9
Barrow, Richd. Bridgman.	Registrar, Peculiar Court of Southwell, Diocese of Lincoln.	17 9 10	Bown, John	Apparitor, Consistory Court, Lichfield.	61 5 11
Bartholomew, the Ven. Archdeacon.	Archdeacon, Archdeaconry Court of Barnstaple, Diocese of Exeter, 17 <i>l.</i> 15 <i>s.</i> 11 <i>d.</i> ; not claimed.	—	Boydell, George	Proctor, Consistory Court, Chester.	139 19 4
Bathurst, Benjamin	Registrar, Commissary Court of the Archdeaconry of Sudbury and Town of Bury St. Edmunds, Diocese of Norwich.	48 - -	Bradley, Rev. Richard	Clerical Surrogate, Diocese of York	10 18 9
Bathurst, Rev. E. S.	Registrar, Consistory Court of Norwich.	547 14 10	Brander, Rev. Boulton	- ditto -	16 19 -
	Proctor, Prerogative Court of Canterbury.	354 6 -	Brasher, Rev. S. Benton.	Clerical Surrogate, Diocese of Durham.	3 13 7
Bathurst, Hen. Allen	Registrar of the Court of the Commissary of the Archdeaconry of Norwich, 65 <i>l.</i> ; holding office, not payable.	—	Brembridge, Richard	Proctor, Archdeaconry Court of Barnstaple, Exeter.	12 14 2
	Examiner, Prerogative Court of Canterbury.	68 18 10	Brembridge, Thomas Julius.	Proctor, Consistorial Episcopal Court, Exeter.	11 14 4
Bayford, James Heselaine.	Proctor, Prerogative Court of Canterbury.	761 13 5	Bromby, Rev. J. Healey	Clerical Surrogate, Diocese of York	128 13 1
Beams, Horatio	Clerk in Registry, Prerogative Court of Canterbury.	62 8 10	Bromehead, Edmund Arthur	Proctor, Consistory Court, Lincoln	238 6 3
	Clerk in Registry, Exchequer and Prerogative Courts, York, 15 <i>l.</i> per annum, unclaimed.	—	Brooks, Geo. Henry	Registrar, Peculiar and Prebendal Court of Louth, Lincoln.	1 3 7
Bearpark, William				Examiner, Prerogative Court of Canterbury.	25 1 5
Carried forward		£. 4,719 14 -	Brooks, Rev. Joshua W.	Proctor, Prerogative Court of Canterbury.	605 6 11
				Clerical Surrogate, Diocese of York	35 9 1
			Brown, Rev. Alfred	- ditto -	16 16 -
			Brown, George	Proctor, Exchequer and Prerogative Courts, York.	448 4 4
			Browne, Rich. G. M.	Clerk in Registry, High Court of Appeals, Canterbury.	19 - 9
			Bryett, Theodore	Proctor, Archdeaconry Court of Totnes, Exeter.	62 12 5
			Buckle, Joseph	Proctor, Exchequer and Prerogative Courts, York.	201 9 2
				Proctor, Exchequer and Prerogative Courts, York; reverted on death of W. Hudson.	201 9 2
				Deputy Registrar, York; reverted on death of W. Hudson.	191 9 11
			Carried forward		£. 9,675 2 1

COMPENSATIONS to Proctors and Officers, &c., in the Year ended 31st December 1867—continued.

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
	Brought forward - - -	9,675 2 1		Brought forward - - -	25,678 16 6
Buckton, Woodyer M.	Proctor, Prerogative Court of Canterbury.	305 2 11	Curtis, William Calverley, LL.D.	Deputy Judge, Prerogative Court of Canterbury.	321 4 6
Bull, Rev. Thomas -	Surrogate, Northampton, 1 <i>l.</i> 13 <i>s.</i> 10 <i>d.</i> per annum, unclaimed.	—	Dalton, Rev. Thomas -	Clerical Surrogate, Diocese of Chester.	35 - 10
Bullivant, Rev. Henry Everard.	Clerical Surrogate, Diocese of Peterborough.	3 1 6	Dampier, Rev. W. James.	Clerical Surrogate, Diocese of London.	2 3 9
Burchett, George -	Proctor, Prerogative Court of Canterbury.	378 17 5	Davidson, Rev. James	Clerical Surrogate, Diocese of York	3 10 -
Burchett, Jas. Robert	- - - ditto - - -	378 17 5	Davies, Rev. T.	Surrogate, Bangor - - -	1 15 -
Burmester, Rev. Geo. -	Clerical Surrogate, Diocese of London.	5 15 6	Davis, Valentine -	Registrar, Diocese of St. David's -	1,040 - -
Burrell, Robt. Anthony	Proctor, Consistory Court, Durham	541 15 -	Dawson, Charles -	Clerk in Registry, Exchequer, and Prerogative Courts, York.	36 - -
Burrough, Rev. J. Wal- rond.	Proctor, Consistory Court, Durham; reverted on death of John Burrell.	541 15 -	Dayman, Gordon -	Deputy Registrar, Archdeaconry Court of Berks, Diocese of Oxford.	126 16 3
Burrup, John - -	Clerical Surrogate, Diocese of Exeter.	11 15 -	Deacon, Henry Hodgetts.	Registrar, Archdeaconry Court of Oxford.	113 - -
Burton, Rev. Charles James.	Proctor, Consistory Court of Gloucester, Gloucester and Bristol.	11 7 2	Deane, James Parker, LL.D.	Proctor, Prerogative Court of Canterbury.	621 2 4
Busfield, Rev. William	Chancellor, Consistory Court, Carlisle.	37 17 9	Dodson, Wm. Francis-Dore, William -	Deputy Judge, Prerogative Court of Canterbury.	100 17 2
Butler, Rev. James -	Clerical Surrogate, Diocese of York	18 16 10		- - - ditto - - -	20 - -
Byron, John - -	- - - ditto - - -	13 7 -		Clerk in Consistorial Court, Bath and Wells, 105 <i>l.</i> 14 <i>s.</i> 2 <i>d.</i> per annum, (suspended while holding office).	—
	Apparitor, Consistory Court, Lincoln	7 1 8	Doughty, George -	Apparitor General, Exchequer and Prerogative Courts, York.	78 10 -
Calvert, John - -	Registrar, Peculiar Court of Mas- ham, York.	17 - 9	Drake, Thomas Edwd.	Proctor, Archdeaconry Court of Exeter.	21 12 7
Camidge, Rev. Charles Joseph.	Clerical Surrogate, Diocese of York	18 5 -	Du Bois, Douglas -	Proctor, Prerogative Court of Canterbury.	298 12 1
Canterbury, Viscount -	Compensation reverted on death of Rev. R. Moore, Registrar of Canterbury.	7,990 2 5	Dyke, Decimus T. -	Clerk of the Seat, Prerogative Court of Canterbury.	225 17 9
Capes, Frederick -	Proctor, Prerogative Court of Canterbury, 510 <i>l.</i> 14 <i>s.</i> 4 <i>d.</i> per annum, unclaimed.	—	Dyke, Francis Hart -	Proctor, Prerogative Court of Canterbury.	27 5 5
Carr, Rev. Edward -	- - - ditto - - -	10 1 6		Proctor, Prerogative Court of Canterbury.	593 3 -
Carr, Rev. James -	Clerical Surrogate, Diocese of Durham.	15 - 9		Registrar, Vicar General's Office, Province of Canterbury.	29 5 9
Cartwright, F. H. -	Steward of Manor or Registrar, Manor Court of Gringley, York.	10 16 -		Proctor, Prerogative Court of Canterbury; at 300 <i>l.</i> 10 <i>s.</i> 9 <i>d.</i> per annum to 15 December 1867.	287 9 5
Cator, Rev. Charles -	Clerical Surrogate, Diocese of York	13 - 6	Dyneley, Charles -	Proctor, Prerogative Court of Canterbury; reverted on death of T. Poynter; at 300 <i>l.</i> 10 <i>s.</i> 9 <i>d.</i> per annum to 15 December 1867.	287 9 5
Champernowne, Rev. Richard.	Official, Archdeaconry Court of Totnes, Exeter.	18 6 4		Deputy Registrar, Prerogative Court of Canterbury; 935 <i>l.</i> 15 <i>s.</i> 7 <i>d.</i> per annum to 15 December 1867.	895 1 10
Chater, Rev. Andrew Fuller.	Clerical Surrogate, Diocese of Chester.	12 2 5	Edwards, Edwin -	Examiner, Prerogative Court of Canterbury.	263 18 -
Cherrill, Alfred Nelson	Proctor, Prerogative Court of Canterbury.	413 19 -		Proctor, Prerogative Court of Canterbury.	81 - 10
Chinn, Sinckler -	Proctor, Consistory Court, Lichfield	726 11 11	Edwards, Rev. Richard Engleheart, Nathaniel Brown.	Clerical Surrogate, Diocese of York	6 18 4
Clark, Rev. Thomas -	Auditor and Clerk of Counties, Consistory Court, Lichfield.	122 3 4	Essell, George - -	Proctor, Prerogative Court of Canterbury.	1,145 12 7
Clarke, Hen. Pickering	Clerical Surrogate, Diocese of Chester.	22 7 2		Proctor, Consistory Court of Rochester.	47 2 8
Clarkson, Frederick Scipio - - -	Proctor, Prerogative Court of Canterbury; reverted on death of F. Clarkson.	93 14 9	Evans, Charles -	Vicar General and Official, Consistory Court, Norwich.	32 8 7
Clifton, John Hill -	- - - ditto - - -	785 16 10	Evans, Charles -	Official and Commissary General, Peculiar of Dean and Chapter, Norwich.	2 8 -
Cobb, Francis - -	Proctor, Consistory Court, Worcester.	291 16 9	Evans, Hugh Robert -	Proctor, Consistory Court of Worcester.	132 12 5
Collis, Rev. William Morris.	Proctor, Prerogative Court of Canterbury.	101 5 3	Evans, Rev. John -	Deputy Registrar, Consistory Court, Ely.	54 3 10
Conor, Rev. John Richard.	Clerical Surrogate, Diocese of Peterborough.	4 17 5		Clerical Surrogate, Diocese of St. David's.	14 16 -
Cook, Rev. R. Kenningale.	Clerical Surrogate, Diocese of Chester.	15 11 2	Evans, T. - -	Deputy Registrar, Hereford, 128 <i>l.</i> 17 <i>s.</i> 6 <i>d.</i> , (suspended while holding office.)	—
Coombs, Rev. William	- - - ditto - - -	33 - 2	Eyre, Rev. Danl. James	Proctor, Hereford - - -	92 18 9
Coote, Henry Charles	- - - ditto - - -	16 15 2		- - - ditto - - -	11 12 4
Cowan, Rev. Thomas -	Proctor, Prerogative Court of Canterbury.	305 2 11	Falloon, R. M. William	Judge, Consistory Court of the Sub-Dean of Sarum, 19 <i>s.</i> 6 <i>d.</i> per annum, unclaimed.	—
Crisp, Horatio - -	Clerical Surrogate, Diocese of Chester.	10 19 3	Farquharson, James -	Clerical Surrogate, Diocese of Chester.	21 15 5
Crosse, Edward Willson	Apparitor, Archdeaconry Court of Ely, 1 <i>l.</i> 5 <i>s.</i> 9 <i>d.</i> per annum, unclaimed.	—	Faulkner, Rev. Edwyn	Proctor, Prerogative Court of Canterbury.	705 4 4
Crosse, Robert Jennings	Proctor, Prerogative Court of Canterbury.	1,358 15 -		Proctor, Canterbury; reverted on the death of John J. Glennie.	705 4 4
Cuning, Francis B. -	Proctor, Archdeaconry Court of Barnstaple, Exeter.	53 - -		Clerical Surrogate, Diocese of Worcester.	2 13 -
Cumming, Francis B. -	Proctor, Archdeaconry Court of Totnes, Exeter.	16 3 4			
Currey, Edmund	Examiner, Prerogative Court of Totnes, Exeter.	32 7 2			
Charles - - -	Proctor, Prerogative Court of Canterbury.	453 5 2			
	Proctor, Prerogative Court of Canterbury.	—			
	Carried forward - - - £.	25,678 16 6		Carried forward - - - £.	34,165 3 -

COMPENSATIONS to Proctors and Officers, &c., in the Year ended 31st December 1867—continued.

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
	Brought forward - - -	34,165 3 -		Brought forward - - -	40,631 2 3
Fawcett, Rev. Edward	Clerical Surrogate, Diocese of York, 30 <i>l.</i> 18 <i>s.</i> 10 <i>d.</i> per annum, not claimed.	—	Heales, Alfred - -	Proctor, Prerogative Court, Canter- bury.	851 3 2
Fell, William - -	Proctor, Consistory Court, Lichfield	527 13 11	Henderson, Rev. John	Clerical Surrogate, Diocese of Ches- ter.	11 2 2
Felder, George - -	Proctor, Prerogative Court of Can- terbury.	937 11 9	Heppel, William -	Clerk in Chester Consistorial Court, 26 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> per annum (sus- pended while holding office).	—
Finch, Rev. Thomas -	Clerical Surrogate, Diocese of Dur- ham.	11 9 9	Hickman, Rev. Thos. G.	Clerical Surrogate, Diocese of Nor- wich.	10 17 9
Force, Edwin - -	Proctor, Consistorial Episcopal Court, Exeter.	64 6 9	Hignett, John - -	Proctor, Consistory Court, Chester	95 1 -
Ford, Henry - -	- - - ditto - - -	21 13 10	Hills, Rev. George -	Clerical Surrogate, Diocese of Nor- wich.	14 - -
Fox, William, sen.	Proctor, Prerogative Court of Can- terbury.	439 7 6	Hobbs, Samuel - -	Proctor, Consistorial Episcopal Court of Wells, Bath and Wells.	8 19 2
Fox, William, jun.	- - - ditto - - -	439 7 6	Hodgson, Christopher	Commissary, Archdeaconry of Lei- cester, Lincoln.	36 8 1
Francis, Clement	Deputy Registrar, Archdeaconry Court, Ely.	28 17 11	Hodgson, Christopher {	Joint Registrars, Archdeaconry Court of Huntingdon, Lincoln.	148 6 2
French, Underwood -	Examiner, Prerogative Court of Canterbury.	2 8 4	Hodgson, Rev. John {		
	Proctor, Prerogative Court of Can- terbury.	153 12 1	Holmes, Rev. Samuel -	Clerical Surrogate, Diocese of York	48 5 2
Frost, Rev. J. L. -	Clerical Surrogate, Diocese of York	23 11 3	Hooper, Alfred Catch- mayd.	Proctor, Consistory Court, Worcester	145 18 5
Gaitskell, Charles Burr	Proctor, Prerogative Court of Can- terbury.	299 15 1	Hooper, Henry Wil- cocks.	Proctor, Archdeaconry Court of Exeter.	3 5 11
Gardner, Rev. Thomas	Clerical Surrogate, Diocese of Ches- ter.	11 12 7	Hooper, Rev. Wm. N.	Clerical Surrogate and Deputy Judge, Diocese of Winchester.	15 11 1
Gepp, Thomas Morgan	Registrar, Archdeaconry Court of St. Alban's, London.	4 10 4	Hopkins, Stephen -	Apparitor, Consistory Court, Nor- wich.	10 1 2
Gibbons, Rev. George	Clerical Surrogate, Diocese of Ches- ter.	15 18 5	Hotham, William -	Proctor, Exchequer and Prerogative Courts, York.	149 8 2
Gibson, Rev. John -	- - - ditto - - -	6 18 3	Howells, Rev. Edw. -	Clerical Surrogate, Diocese of Here- ford.	12 17 6
Godfrey, William -	Apparitor, Archdeaconry Court of Totnes, Exeter.	4 5 8	Hudson, Rev. Joseph	Clerical Surrogate, Diocese of Dur- ham.	19 7 5
Goldsmith, John -	Proctor, Prerogative Court of Can- terbury.	387 14 6	Hughes, Geo. Edward, D.C.L.	Deputy Judge, Prerogative Court of Canterbury.	58 3 4
Goodall, Edward -	Officer of the Judicial Committee of Privy Council, High Court of Appeals, Canterbury, 10 <i>l.</i> 13 <i>s.</i> 6 <i>d.</i> per annum, unclaimed.	—	Hughes, Rev. Joseph -	Clerical Surrogate, Diocese of York	23 2 -
Gray, Thomas Wm. -	Proctor, Consistorial Episcopal Court, Exeter.	55 - -	Hughes, Samuel -	Apparitor, Consistory Court, Bangor	7 13 2
Green, Francis - -	Proctor, Consistory Court, St. Da- vid's.	26 17 6	Hull, Rev. John -	Clerical Surrogate, Diocese of Ches- ter.	7 7 2
Green, Rev. George Edward.	Clerical Surrogate, Diocese of Dur- ham.	8 8 -	Huntington, Rev. Wil- liam.	Clerical Surrogate, Diocese of Ches- ter.	122 16 7
Gregory, Horatio -	Proctor, Prerogative Court of Can- terbury.	265 11 -	Huntton, James - -	Proctor, Consistory Court of the Commissary of the Archdeaconry of Richmond, Chester.	11 16 6
Gresley, Charles -	Registrar, Peculiar Court of Dean and Chapter, Lichfield.	83 3 7	Irvine, Rev. James -	Clerical Surrogate, Diocese of Ches- ter.	5 15 9
Griffiths, William -	Proctor, Hereford - - -	62 15 -	Ives, Rev. William -	Clerical Surrogate, Diocese of Dur- ham.	5 7 -
Grover, Montague -	Proctor, Consistory Court, Llandaff	16 4 4	Jackson, Rev. E. -	Clerical Surrogate, Diocese of York	33 12 -
Hall, Rev. George -	Clerical Surrogate, Diocese of Lich- field.	7 4 3	Jackson, Rev. Edw. D.	Clerical Surrogate, Diocese of Ches- ter.	133 8 7
Hamley, Edmund Gil- bert.	Proctor, Archdeaconry Court of Cornwall, Exeter.	95 3 3	Jackson, W. B. - -	Clerk in Registry, Exchequer, and Prerogative Courts, York.	29 5 10
Hankinson, Rev. E. F. E.	Clerical Surrogate, Diocese of Nor- wich.	6 8 5	Jeaffreson, Rev. C. Babbington.	Clerical Surrogate, Diocese of Ches- ter.	29 - -
Hankinson, Rev. Rt. Edwards.	- - - ditto - - -	6 6 -	Jeffcoat, Jonathan -	Apparitor, Deanery Courts of Abing- don and Wallingford, in the Arch- deaconry of Berks.	2 2 8
Hannaford, William -	Clerk in Registry, Archdeaconry Court of Totnes, Exeter.	53 6 8	Jellicoe, Frank - -	Proctor, Prerogative Court of Can- terbury.	556 13 4
Hannam, Edw. Lawton	Proctor, Prerogative Court of Can- terbury.	26 18 4	Jenner, Edw. Francis -	- - - ditto - - -	593 3 -
Hansell, Henry - -	Deputy Registrar, Archdeaconry of Norfolk, Norwich (two offices).	85 12 5	Jennings, Rd. Wm. {	Examiner, Prerogative Court of Canterbury.	66 14 6
	Proctor, Consistory Court, Norwich	10 15 9	Jennings, William G. W. N.	Proctor, Prerogative Court of Can- terbury.	743 14 2
Harcourt, Egerton Vernon - -	Joint Registrars, Exchequer and Prerogative Courts, York.	2,008 2 8	Johns, Francis Tregon- well.	Proctor in the Courts of the Ancient Diocese of Bristol and of the Archdeaconry of Dorset.	743 14 2
Harcourt, Edw. Wm. Venables Vernon -			Johnson, Richard -	Proctor, Consistory Court, Hereford	19 1 2
Harrison, Rev. William	Clerical Surrogate, Diocese of Ches- ter.	13 1 3	Jones, Rev. J. W. -	Surrogate, Bangor - - -	99 10 4
Hassall, Rev. James -	- - - ditto - - -	9 7 11	Jones, Rev. N. - -	Clerical Surrogate, Diocese of Ches- ter.	5 9 6
Hawes, Rev. Thomas Henry.	Clerical Surrogate, Diocese of Bath and Wells.	4 7 2	Jones, Rev. Thomas -	Clerical Surrogate, Diocese of Ban- gor.	28 15 -
Haworth, Rev. Henry	Clerical Surrogate, Diocese of Ches- ter.	12 11 4	Keane, Rev. William -	Clerical Surrogate, Diocese of York	44 2 1
Hayward, John -	Apparitor, Consistory Court, Lin- coln.	9 6 8	Kellock, Thomas C. -	Proctor, Archdeaconry Court, Tot- nes, Exeter, 69 <i>l.</i> 10 <i>s.</i> per an- num, unclaimed.	21 - -
	Proctor, Consistory Court, Lincoln	77 - 9			
Headlam, the Right Hon. Thomas Em- erson - - -	Chancellor, Consistory Court, Dur- ham.	129 9 8			
	Commissary, Consistory Court of the Commissary of the Archdeaconry of Richmond, Chester.	12 1 11			
	Carried forward - - - £.	40,631 2 3		Carried forward - - - £.	45,603 2 5

COMPENSATIONS to Proctors and Officers, &c., in the Year ended 31st December 1867—continued.

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
	Brought forward - - -	45,603 2 5		Brought forward - - -	52,006 17 5
Keppel, Rev. W. A. W.	Registrar, Consistorial Episcopal Court, Exeter.	212 9 8	Moore, Rev. George B.	Clerk of the Seat, Prerogative Court of Canterbury.	341 16 -
Kidd, Rev. Philip C.	Clerical Surrogate, Diocese of York	31 10 1	Moore, Rev. James -	Clerical Surrogate, Diocese of Chester.	41 6 3
Kingsley, Rev. John -	Clerical Surrogate, Diocese of Chester.	9 2 3	Moore, William Price	Proctor, Prerogative Court of Canterbury.	453 5 1
Kirkman, William -	Clerk in Registry, Commissary Court of London.	12 - -	Morgan, Rev. R. -	Surrogate, St. David's - - -	15 10 2
Knox, Rev. Andrew -	Clerical Surrogate, Diocese of Chester.	19 17 1	Morgan, Rev. M. -	Surrogate, Bangor - - -	4 7 8
Lambert, William -	Proctor, Archdeaconry Court, Exeter	12 17 3	Morrall, Robert -	Registrar of the Manor of Ellesmere, Shrewsbury.	15 14 4
Law, Edmund Christian	Deputy Judge, Consistory Court, Lichfield.	46 6 8	Morris, Rev. E. -	Surrogate, St. David's, at 18 l. 10 s. per annum, to 18 April 1867.	5 10 9
Law, Rev. James Thos.	Chancellor, Consistory Court, Lichfield.	629 6 8	Morris, Lewis -	Proctor, Consistory Court, St. David's.	29 - 5
Lawrie, Charles -	Proctor, Prerogative Court of Canterbury.	510 2 5	Morris, Price -	Proctor, Consistory Court, St. Asaph	95 - -
Lawton, George, sen. -	Proctor, Exchequer and Prerogative Courts, York.	845 8 4	Morris, Rev. Thos. Whittaker.	Clerical Surrogate, Diocese of Chester.	28 9 5
Lawton, William -	- - - ditto - - -	422 14 2	Mosley, Rev. Richard -	Clerical Surrogate, Diocese of York	16 5 7
Leach, Rev. Richd. E.	Clerical Surrogate, Diocese of York	30 17 9	Mott, John -	Proctor, Consistory Court, Lichfield Registrar, Peculiar Courts of the Diocese, Lichfield.	1,121 13 8 67 2 7
Le Breton, Very Rev. William C.	Dean, Court of the Dean of the Island of Jersey, Diocese of Winchester.	66 - -		Seal Keeper, Consistory Court, Lichfield.	73 3 -
Lindley, Rev. William	Clerical Surrogate, Diocese of York	18 - 9	Nairne, Rev. Charles -	Clerical Surrogate, Diocese of Lincoln.	16 13 4
Lochner, Christopher Pelly.	Proctor, Prerogative Court of Canterbury.	525 5 6	Nelson, Albert O. -	Proctor, Prerogative Court of Canterbury.	162 4 5
Longden, Geo. Roger -	Proctor, Prerogative Court of Canterbury.	248 15 1	Nelson, John -	- - - ditto - - -	811 1 10
Longden, Thos. Hayter	Registrar, Archdeaconry Court, Surrey, Diocese of Winchester.	9 13 8	Nicholl, John Ilted -	- - - ditto - - -	627 13 8
Loveday, Arthur -	- - - ditto - - -	250 16 10	North, Brownlow -	Registrar, Consistory Court, Winchester.	250 - -
Loveday, George -	- - - ditto - - -	125 8 5	North, Rev. James -	Registrar, Commissary Court of Surrey, Diocese of Winchester.	3 - -
	Judge, Consistory Court, London, 54 l. 16 s. 4 d. per annum, unclaimed.	-		Clerical Surrogate, Diocese of Chester.	23 4 3
Lushington, Right Hon. Stephen -	Judge, Commissary Court for the parts of Essex and Herts, Diocese of London, 19 l. 10 s. 8 d. per annum, unclaimed.	-	Oldershaw, Augustus P.	Proctor, Prerogative Court of Canterbury.	199 8 6
Mackie, Rev. John -	Clerical Surrogate, Diocese of Lincoln.	1 10 1	Onslow, Phipps V. -	Registrar, Archdeaconry Court of Berks, Diocese of Oxford.	25 8 -
Macdonald, Fitzherbert -	District Registry, Salisbury - - Ditto - (suspended while holding office, 169 l. 0 s. 8 d.)	35 11 8	Orme, Malcolm -	Proctor, Prerogative Court of Canterbury.	454 15 6
Mallinson, Rev. Whiteley.	Clerical Surrogate, Diocese of York	11 17 9	Palmer, Cadwallader Edwards -	Proctor, Archdeaconry Court of Barnstaple, Exeter.	132 - 10
Mann, Rev. W. H. G.	Registrar, Consistory Court, Lichfield.	570 18 6	Park, Rev. G. -	Deputy Registrar, Archdeaconry Court of Barnstaple, Exeter.	81 13 11
Mantell, Rev. Edward Reginald.	Clerical Surrogate, Diocese of Lincoln.	21 10 9	Parks, James -	Surrogate, Chester - - -	13 7 9
Margetts, Charles -	Deputy Registrar, Archdeaconry Court of Huntingdon, Lincoln.	70 12 10	Peers, Henry -	Apparitor, Archdeaconry of Rochester 4 s. 1 d. per annum, unclaimed.	-
Marsden, Thos. Christ.	Proctor, Consistory Court, Durham	449 5 5	Pepys, Philip Henry -	Clerk in Registry, Prerogative Court of Canterbury.	114 8 -
Marsh, Rev. Geo. Henry	Registrar, Consistory Court, Peterborough.	40 - -	Phillimore, Robert Joseph, D.C.L.	Chancellor, Consistory Court, Worcester, 20 l. 17 s. 4 d., unclaimed.	-
Marshall, Rev. W. Knox	Clerical Surrogate, Diocese of Lichfield.	10 7 6		Chancellor and Official, Archdeaconry Court of Berks, Diocese of Oxford, 60 l. 6 s. 2 d. per annum, (suspended while holding office.)	-
Maryon, Samuel Wm.	Apparitor, Commissary Court for the parts of Essex and Herts, London.	4 16 -	Phillpotts, The Ven. Archdeacon.	Archdeacon, Archdeaconry Court of Cornwall, Exeter.	53 - 11
Master, Rev. James S.	Clerical Surrogate, Diocese of Chester.	12 14 2	Pilcher, John Giles -	Proctor, Prerogative Court, Canterbury.	29 1 -
Matthews, Benjamin -	Proctor, Consistory Court, Llandaff	15 - 8	Pollock, Rev. William	Clerical Surrogate, Diocese of Chester.	25 18 10
Maybery, Henry -	Deputy Registrar, Consistory Court of the Archdeaconry of Brecon, St. David's.	50 18 2	Poole, Rev. Robert -	Clerical Surrogate, Diocese of York	31 4 5
Middleton, Chas. John	Proctor, Prerogative Court of Canterbury.	460 19 7	Poole, Rev. Robert Henry.	- - - ditto - - -	3 7 6
Middleton, John Geo.	Deputy Judge, Prerogative Court of Canterbury.	53 7 4	Powell, Edward Griffith	Proctor, Consistory Court, Bangor -	12 18 9
Middleton, Rev. Thos.	Clerical Surrogate, Diocese of Chester.	22 10 -	Powell, Rev. Henry -	Clerical Surrogate, Diocese of Chester.	18 8 10
Middleton, Rev. Wm. Jno.	Clerical Surrogate, Diocese of York	11 2 10	Powell, Samuel, jun. -	Registrar Peculiar of the Honor of Knaresborough, Diocese of York.	18 19 -
Mills, John Robert -	Proctor, Exchequer and Prerogative Courts, York.	507 - 10	Pownall, Robt. Edward	- - - ditto - - -	18 19 -
Minton, Rev. Thos. Webb	Clerical Surrogate, Diocese of York	23 7 3		Proctor, Prerogative Court of Canterbury.	605 7 7
Moore, Rev. Charles Avery.	Clerical Surrogate, Diocese of Winchester.	3 11 1	Pratt, Frederick Thomas	Deputy Judge, Prerogative Court of Canterbury.	235 - -
	Carried forward - - - £.	52,006 17 5	Prescot, Rev. Charles K.	Clerical Surrogate, Diocese of Chester.	25 17 6
			Presswell, George -	Proctor, Archdeaconry Court, Totnes, Exeter.	89 8 9
			Price, William Evan -	Proctor, Archdeaconry Court of Barnstaple, Exeter.	20 1 -
				Carried forward - - - £.	58,417 15 5

COMPENSATIONS to Proctors and Officers, &c., in the Year ended 31st December 1867—*continued.*

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
	Brought forward - - -	58,417 15 5		Brought forward - - -	65,120 3 2
Pritchard, Wm. Tarn	Examiner, Prerogative Court of Canterbury.	62 14 -	Simonds, Robert W.	Proctor, Consistory Court, Winchester.	31 12 10
	Proctor, Prerogative Court of Canterbury.	797 4 3	Simpson, Thomas	Proctor, Exchequer and Prerogative Courts, York.	375 7 9
	Proctor, Prerogative Court of Canterbury.	340 11 10	Skilbeck, Richard	Clerk in Registry, Exchequer, and Prerogative Courts, York.	36 - -
Puckle, Henry -	Proctor, Prerogative Court of Canterbury; reverted on death of H. J. Backhouse.	170 5 11	Skipwith, Lionel	Proctor, Prerogative Court of Canterbury.	294 17 3
	Proctor, Prerogative Court of Canterbury.	340 11 10	Slade, Felix	- - - ditto - - -	250 - -
Puckle, Thomas B.	Proctor, Prerogative Court of Canterbury; reverted on death of H. J. Backhouse.	170 5 11	Smale, Henry Lewis	- - - ditto - - -	510 2 5
			Smallridge, Charles	Proctor, Consistory Court of Gloucester, Diocese of Gloucester and Bristol.	7 13 6
Rathbone, Rev. David	Clerical Surrogate, Diocese of Chester.	61 10 8	Smith, Edwin Augustus	Proctor in the Courts of the Ancient Diocese of Bristol and the Archdeaconry of Dorset.	18 13 9
Redhead, Thomas F.	- - - ditto - - -	6 8 11		Registrar (reverted on death of R. Swan) to 3 October 1867, at 1,530 l. 2 s. 11 d. per annum.	1,161 5 -
Reed, Rev. Christopher	Clerical Surrogate, Diocese of Durham.	12 - 10		Commissary, Archdeaconry Court of Bedford, Lincoln, to 3 October 1867, at 14 l. 11 s. per annum -	15 19 5
Rees, Rev. E. -	Surrogate, St. David's - - -	2 13 4	Smith, Richard	Commissary, Archdeaconry Court of Huntingdon, Lincoln, to 3 October 1867, at 6 l. 10 s. 6 d. per annum	65 - -
Riccard, Russell Martyn	Proctor, Archdeaconry Court of Barnstaple, Exeter.	30 12 10		Registrar, Consistory Court, Ely -	21 14 11
Ridsdale, Rev. W. John	Clerical Surrogate, Diocese of York	21 9 8	Sparke, Rev. Edward Bowyer.	Vicar General, Consistory Court, Ely.	54 - -
Robarts, Frederick	Proctor, Prerogative Court of Canterbury.	1,309 3 -	Sparke, Rev. John Hen.	Registrar, Peculiar Court of the Deanery of Bridgnorth, Lichfield.	108 - -
Robarts, Nathaniel	- - - ditto - - -	1,210 - -	Sparkes, A. Francis	Deputy Judge, Prerogative Court of Canterbury.	22 19 9
Roberts, E. Hunt	Proctor, Archdeaconry Court, Exeter	7 9 9	Spinks, Thomas	Clerical Surrogate, Diocese of St. David's.	217 2 3
Robertson, John E. P., D. C. L.	Deputy Judge, Prerogative Court of Canterbury.	58 10 -	Squire, Rev. Edward B.	Clerical Surrogate, Diocese of Chester.	27 16 5
	Official Principal, Consistory Court, Rochester.	- 18 -	Stafford, Rev. John H.	Proctor, Consistory Court, Norwich.	- 16 6
Robinson, Rev. C.	Clerical Surrogate, Diocese of Chester.	11 16 2		Registrar, Royal Peculiar of Great Cressingham, Norwich.	3 5 5
Robinson, William	Deputy Judge, Prerogative Court of Canterbury.	139 10 -		Registrar, Court of the Peculiar Jurisdiction of Castle Rising, &c., Norwich.	97 12 2
Rogers, Reginald	Proctor, Archdeaconry Court of Cornwall, Exeter.	34 19 3		Deputy Registrar, Court of the Commissary of the Archdeaconry of Norwich.	109 16 2
Rolfe, Rev. Edward F. N.	Clerical Surrogate, Diocese of London.	2 15 -	Steward, Edward	Proctor, Prerogative Court of Canterbury.	1,063 15 9
Rothery, Henry Cadogan.	Registrar, High Court of Appeals, Canterbury, 94 l. 18 s. 7 d., holding office and not payable.	-		Vicar General, Consistory Court of Winchester, 14 l. 16 s. 4 d. per annum, unclaimed.	-
			Stokes, Henry Graham	Clerical Surrogate, Diocese of Chester.	1 18 6
St. Asaph, The Lord Bishop of.	Registrar, Archdeaconry Court of Cornwall, Exeter.	350 - -	Sumner, Charles	Proctor, Exchequer and Prerogative Courts, York.	249 8 9
St. Aubyn, Rev. Wm. John.	Clerical Surrogate, Diocese of Exeter	12 6 7	Sutcliffe, Rev. William	Deputy Judge of the Prerogative Court of Canterbury.	29 - -
Sale, Rev. Thomas	Clerical Surrogate, Diocese of York	30 3 4	Sutton, George -	Official, Archdeaconry Court of Essex, London.	4 10 4
Salvin, Rev. Joseph	- - - ditto - - -	129 11 6	Swabey, Maurice, C. M., D. C. L. - - -		
Sanders, Frederick	Proctor, Consistory Court, Exeter, 14 l. 13 s. 6 d. per annum, unclaimed.	-	Tatham, Montague John	Proctor, Prerogative Court of Canterbury.	952 18 -
Sanders, Rev. James	Clerical Surrogate, Diocese of York	9 3 4	Taylor, Rev. Joseph	Clerical Surrogate, Diocese of Chester.	37 7 4
Sanders, Ralph -	Registrar, Archdeaconry Court of Barnstaple, Exeter.	220 5 9	Taylor, Rev. Robert	Clerical Surrogate, Diocese of Durham, to 25 March 1867, at 7 l. 12 s. 3 d. per annum.	1 15 5
Sayers, Rev. Andrew	Clerical Surrogate, Diocese of Gloucester and Bristol.	13 8 9	Tebbs, Charles -	Proctor, Prerogative Court of Canterbury.	767 17 8
Scobell, Rev. John	Principal Surrogate, Consistory Court of the Archdeaconry of Lewes, Diocese of Chichester, to 1 September 1867, at 8 l. 7 s. 8 d. per annum.	7 14 5	Tebbs, Henry Virtue (senior)	Proctor, Prerogative Court of Canterbury.	767 17 8
Seaman, Rev. Meshach	Clerical Surrogate, Diocese of London.	11 12 8		Examiner, Prerogative Court of Canterbury.	156 - -
Sedgwick, Rev. James	Clerical Surrogate, Diocese of York	17 11 1	Thiselton, Chas. Alfred	Registrar, Dean and Chapter, Deanery and Prebendal Courts, Diocese of York.	10 18 9
Severne, Charles	Proctor, Prerogative Court of Canterbury.	41 4 -	Thomas, Chas. Smith	Proctor, Prerogative Court of Canterbury.	1,021 8 7
Seymour, Rev. Sir John H. C.	Judge Prebendal Court of St. Margaret in Leicester, Lincoln.	10 19 -			
Sharp, Rev. John	Clerical Surrogate, Diocese of York	9 1 1			
	Joint Registrar (with Augustus C. Veley), Archdeaconry Court of Colchester, London.	25 11 4			
	Deputy Registrar, Consistory Court of London.	73 15 9			
Shephard, John	Deputy Registrar, Archdeaconry Court of Middlesex, London.	24 15 10			
	Proctor, Prerogative Court of Canterbury.	900 6 3			
Sidebottom, Rev. Henry F.	Clerical Surrogate, Diocese of York	23 5 11			
	Carried forward - - £.	65,120 3 2		Carried forward - - £.	73,614 15 5

COMPENSATIONS to Proctors and Officers, &c., in the Year ended 31st December 1867—continued.

NAMES.	OFFICE.	Rate per Annum.	NAMES.	OFFICE.	Rate per Annum.
		£. s. d.			£. s. d.
	Brought forward - - -	73,614 15 5		Brought forward - - -	80,294 7 7
Thomas, Rev. J.	Surrogate, St. David's - - -	2 10 -	Wambey, Saml. Jewkes	Deputy Judge, Prerogative Court of Canterbury, to 20 May 1867, at 135 l. per annum.	52 5 10
Thomas, Rev. John	Commissary and Rural Dean of the Court at Lancaster, Diocese of Chester.	91 8 1	Warner, Rev. Daniel Francis.	Clerical Surrogate, Diocese of Ro- chester.	2 - -
Thurlow, Rev. Charles Augustus.	Judge, Consistory Court, Chester -	433 19 2	Warr, Rev. G. W. -	Clerical Surrogate, Diocese of Ches- ter.	7 16 3
Tindal, Acton - -	Registrar, Archdeaconry Court of Buckingham, Diocese of Oxford.	65 3 7	Welsh, Wm. Inman -	Proctor, Consistorial Episcopal Court of Wells, Bath and Wells.	4 19 3
Toker, Philip C. -	Proctor, Prerogative Court of Can- terbury.	663 17 4	West, Charles John -	Registrar, Archdeaconry of Norfolk, Norwich.	92 18 6
Toller, Charles -	Examiner, Prerogative Court of Canterbury.	200 2 9	White, The Ven. Arch- deacon Henry Weir.	Clerical Surrogate, Diocese of Ban- gor, 7 l. 9 s. 6 d. per annum, un- claimed.	-
	Proctor, Prerogative Court of Can- terbury.	523 4 9	Whitehead, Rev. Wm. Thomas.	Clerical Surrogate, Chester - -	15 14 -
Toller, Edward	Proctor, Prerogative Court of Can- terbury.	784 17 2	Wicks, Rev. F. W. -	Clerical Surrogate, Diocese of Ches- ter.	14 8 5
	Seal Keeper, Consistory Court of London.	14 1 5	Wilkins, Rev. John Murray.	Clerical Surrogate, York - -	34 1 2
Toller, Edward Wm. -	Proctor, Prerogative Court of Can- terbury.	261 12 4	Willett, John Saltren	Proctor, Prerogative Court of Can- terbury.	300 10 9
Tomlin, Jas. Robinson	Proctor, Consistory Court of the Commissary of the Archdeaconry of Richmond, Chester.	9 - -		Proctor, Prerogative Court of Can- terbury (reverted on death of T. Poynter.)	300 10 9
Townsend, William -	Proctor, Prerogative Court of Can- terbury.	589 14 7		Proctor (reverted on death of C. Dyneley), at 60 l. 1 s. 6 d. per annum, from 16 to 31 December 1867.	26 2 8
Trevor, Rev. George -	Clerical Surrogate, Diocese of York	3 - -	Williams, Rev. David A.	Clerical Surrogate and Vicar General, Diocese of St. David's.	65 - -
Tristram, Thomas H., D. C. L.	Deputy Judge, Prerogative Court of Canterbury.	27 9 -	Williams, Rev. David	Surrogate, Bangor - - -	1 - -
Turnbull, Rev. William Stephenson.	Clerical Surrogate, Diocese of York	2 - -	Williams, Rev. Hugh -	Vicar General, Consistory Court, Llandaff.	85 18 10
Turner, Rev. John F.	Clerical Surrogate, Diocese of Exeter.	29 12 8	Williams, John V. H. -	Registrar, Consistory Court, Ban- gor.	78 1 1
Turner, Rev. William Henry.	Registrar, Archdeaconry Court of Taunton, Bath and Wells.	150 - -	Williams, Rev. M. -	Surrogate, Bangor - - -	5 5 8
Turner, William N. H.	Proctor, Consistory Court, Norwich	9 19 2	Williams, Rev. R. -	- - - ditto - - -	1 10 -
Twiss, Travers -	Chancellor, Consistory Court, Here- ford.	16 4 8	Williams, Rev. St. George A.	Proctor, Consistory Court, St. Asaph	50 2 6
	Chancellor, Consistory Court, Lin- coln.	63 11 -	Wills, John - -	Surrogate, Bangor - - -	22 6 7
Vawdrey, Rev. A. A. -	Clerical Surrogate, Diocese of Exeter.	18 8 11	Wodehouse, Rev. Charles Nourse -	Proctor, Prerogative Court of Can- terbury.	1,463 9 5
Veley, Augustus Chas.	Registrar, Archdeaconry Court of Essex, London.	32 17 5	Wooldridge, Charles -	Clerical Surrogate, Diocese of Nor- wich.	15 - 1
	Joint Registrar (with John Shep- hard), Archdeaconry Court of Col- chester, London.	25 11 4		Commissary and Official of the Com- missary Court of the Archdea- conry of Sudbury and the Town of Bury St. Edmund's, Norwich.	25 1 8
	Deputy Registrar, Commissary Court for the Parts of Essex and Herts, London.	144 17 5	Wright, Rev. H. W. -	Proctor, Consistory Court, Win- chester.	258 4 8
Vernon, Granville Har- court.	Judge, Exchequer and Prerogative Courts, York.	1,169 5 8	Wyatt, Edwin - -	Clerical Surrogate, Diocese of Dur- ham.	14 5 5
Waddilove, Alfred -	Deputy Judge, Prerogative Court of Canterbury.	43 12 1	Wyatt & Sisson - -	Proctor, Consistory Court, St. Asaph	30 - -
Waddilove, Cyrus -	Proctor, Prerogative Court of Can- terbury.	134 3 10	Yerbergh, Rev. Richd.	Registrars, St. Asaph - - -	134 1 6
Wadeson, Edw. Wey- man.	- - - ditto - - -	1,168 9 6		Clerical Surrogate, Diocese of Lin- coln.	8 - 1
Walker, Rev. George -	Clerical Surrogate, Diocese of Dur- ham.	- 18 4	Yonge, Rev. William Johnson - -	Official of the Archdeaconry Court of Norwich.	13 6 9
Wallis, Rev. John -	Official Archdeaconry Court of Cornwall, Exeter, 27 l. 5 s. per annum, unclaimed.	-		Registrar of the Archdeaconry Court of Norwich.	65 - -
	Carried forward - - £.	80,294 7 7	£.	TOTAL - - - £.	83,481 9 5

No. 2.—RETURN of all COMPENSATIONS (payable from Moneys Voted by Parliament) to PROCTORS of the late DIVORCE COURT in *England* during the Year ended 31st December 1867 (pursuant to the Act 20 & 21 Vict. c. 85, s. 64).

NAMES.	Annual Amount.	NAMES.	Annual Amount.
	£. s. d.		£. s. d.
Addams, Richard - - -	23 8 -	Brought forward - - -	387 9 1
Barlow, J. Pratt - - -	4 12 3	Hotham, W. - - -	14 17 10
Barlow, A. T. Pratt - - -	4 12 3	Hunton, James - - -	7 3 7
Bathurst, H. A. - - -	28 6 9	Lawton, G. - - -	65 9 6
Bedford, C. D. - - -	8 16 9	Lawton, William - - -	32 14 9
Blackburn, H. - - -	10 8 -	Longden, G. R. - - -	4 12 3
Bowdler, Charles - - -	28 6 9	Middleton, C. J. - - -	8 16 9
Browne, George - - -	44 13 7	Robarts, F. - - -	32 7 1
Cherrill, A. N. - - -	3 3 7	Shephard, John - - -	10 12 6
Clarkson, F. S. - - -	32 19 3	Simpson, Thomas - - -	14 13 4
Crosse, E. W. - - -	89 18 8	Tebbs, H. V. - - -	24 12 7
Dubois, Douglas - - -	17 11 -	Tebbs, Charles - - -	33 8 6
Edwards, Edwin - - -	37 11 4	Tebbs, H. V., jun. - - -	7 12 5
Fielder, George - - -	42 19 10	Tomlin, J. R. - - -	5 19 9
Hobbs, Samuel - - -	10 4 5	Welsh, W. S. - - -	8 8 7
Carried forward - £.	387 9 1	TOTAL - - £.	658 18 6

No. 3.—RETURN of SUPERANNUATIONS payable to late OFFICERS of the PROBATE COURT, for the Year ended 31st December 1867.

NAME.	Annual Amount.	OFFICE.
	£. s. d.	
Berry, W. J. - - - - -	200 - -	Sealer.
Harrison, Robert - - - - -	200 - -	Senior Examiner of Wills.
TOTAL - - - - £.	400 - -	

RECAPITULATION of the foregoing Return.

	£.	s.	d.
Annual Salaries of the Judge and other Officers of the Court of Probate, p. 4 -	45,432	10	-
Incidental Expenses of the Court, p. 5 - - - - -	6,284	2	7
Salaries of the District Registrars, p. 5 - - - - -	25,757	1	2
Incidental Expenses of the District Registrars, p. 5 - - - - -	1,339	4	3
Salaries of the Clerks in the District Registries, p. 6 - - - - -	15,672	5	1
Amount Expended for Stationery, p. 6 - - - - -	4,416	-	-
Amount Expended by the Board of Works in England, p. 6 - - - - -	10,892	3	1
TOTAL Salaries and Expenses - - - £.	109,793	6	2
Amount of Compensations to Proctors chargeable to Consolidated Fund, p. 13 -	83,481	9	5
Amount of Compensations to Proctors payable from Moneys Voted by Parliament, p. 14 - - - - -	658	18	6
Amount of Superannuations payable to Officers of the Probate Court out of Moneys Voted by Parliament, p. 14 - - - - -	400	-	-
TOTAL - - - £.	194,333	14	1
	£.	s.	d.
Deduct, { Amount of Fees received in the Year 1867 (Principal Registry), p. 7 - - - - -	59,749	-	-
{ Amount of Fees received in the Year 1867 (District Registries), p. 7 - - - - -	67,771	14	9
Deficiency - - - - - £.	66,812	19	4

COURT OF PROBATE.

ACCOUNT of the ANNUAL SALARIES of the JUDGE, REGISTRARS, CLERKS, and all Others holding Offices in the COURT of PROBATE in *England*, together with the ACCOUNT of all FEES and MONIES received in the Year ended 31 December 1867; also, RETURN of all COMPENSATIONS payable under the Authority of the PROBATE ACT for *England* during that Year.

(Presented pursuant to Act 20 & 21 Vict. c. 77, s. 114.)

Ordered, by The House of Commons, to be Printed,
24 June 1868.

TAXES (COURTS OF APPEAL).

RETURN to an Order of the Honourable The House of Commons,
dated 24 March 1868;—for,

RETURN “of all **BOROUGHS** or **TOWNS** containing over **ONE THOUSAND INHABITANTS** which are situated more than **FOUR MILES** from the **COURTS of APPEAL** for **ASSESSED** and other **TAXES** in *England and Wales*; and, in what **Place** the **COURTS of APPEAL** are situated.”

Note.—This Return is made out in **Hundreds** or **Divisions**, because the meetings of the Commissioners are required by law to be held within the **Districts** for which the Commissioners respectively act; with this exception, that the Commissioners may hold their meetings within any **City** or **Town** being a **County** of itself, or otherwise having exclusive jurisdiction, and situated within, surrounded by, or adjoining to, their respective **Divisions**.

RETURN of all **BOROUGHS** or **TOWNS** containing over **ONE THOUSAND INHABITANTS** which are situated more than **FOUR MILES** from the **COURTS of APPEAL** for **ASSESSED** and other **TAXES** in *England and Wales*, and in what **Places** the **COURTS of APPEAL** are situated.

C O U N T Y.	H U N D R E D O R D I V I S I O N.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND:			
BEDFORD - - - -	Barford - - - -	Bletsoe - - - -	Harold. Eaton Socon. Turvey.
	Bedford Borough - - -	Bedford.	
	Biggleswade - - - -	Biggleswade - - -	Shefford. Cardington. Henlow. Sandy. Stotfold. Shillington.
	Flitt - - - -	Silsoe - - - -	Luton.
	Manshead - - - -	Hockliffe - - - - Woburn.	Dunstable.
	Redbornstoke - - - -	Amphthill.	
BERKS - - - -	Abingdon - - - -	Abingdon.	
	Abingdon Borough - - -	Abingdon.	
	Compton - - - -	East Ilsley.	
	Faringdon - - - -	Faringdon.	
	Forest - - - -	Wokingham.	
	Lambourne - - - -	Lambourne.	
	Maidenhead - - - -	Maidenhead.	
	Moreton - - - -	Wallingford.	
	Newbury Division - - -	Newbury - - - - Hungerford.	Chieveley and Hampstead Norris.
	Newbury Borough - - -	Newbury.	
	Reading - - - -	Reading.	
	Wantage - - - -	Wantage.	
BUCKS - - - -	Windsor - - - -	Windsor.	
	Ashendon - - - -	Brill - - - -	Long Crendon. Waddesdon.
	Aylesbury - - - -	Aylesbury - - - -	Haddenham. Great Missenden. Little Missenden. Prince's Risborough. Wendover.
	Buckingham Hundreds - -	Buckingham.	
	Buckingham Borough - -	Buckingham.	
	Burnham - - - -	Amersham. Beaconsfield.	

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
BUCKS—continued	Cottesloe - - - - -	Linslade - - - - -	Ivinghoe. Stewkley. Winslow.
	Desborough - - - - -	Great Marlow. High Wycombe.	
	Newport - - - - -	Newport Pagnell - - - - -	Fenny Stratford. Hanslope. Olney. Stony Stratford, West.
	Stoke - - - - -	Slough.	
	Wycombe Borough - - - - -	High Wycombe.	
CAMBRIDGE	Bottisham - - - - -	Bottisham.	
	Cambridge Town - - - - -	Cambridge	
	Cambridge Corporation - - - - -	Cambridge.	
	Cambridge University - - - - -	Cambridge.	
	Ely and South Witchford - - - - -	Ely - - - - -	Littleport. Haddenham. Manea. Sutton. Stretham.
	Howes - - - - -	Cambridge.	
	Linton - - - - -	Linton - - - - -	Sawston.
	Longstowe - - - - -	Caxton.	
	Newmarket - - - - -	Newmarket - - - - -	Burwell. Fordham. Isleham. Soham.
	North Witchford - - - - -	Chatteris - - - - - March (a).	Wimblington.
	Royston - - - - -	Royston - - - - -	Guilden Morden. Harstow. Meldreth.
	Wisbeach - - - - -	Wisbeach - - - - -	Whittlesea.
CHESTER	Broxton - - - - -	Broxton - - - - -	Boughton, Great. Hoole. Malpas.
	Bucklow, East - - - - -	Altrincham. Knutsford.	
	Bucklow, West - - - - -	Daresbury - - - - - Runcorn.	Latchford.
	Chester City - - - - -	Chester.	
	Eddisbury - - - - -	Oakmere - - - - - Delamere Forest - - - - -	Frodsham. Over.
	Nantwich - - - - -	Nantwich - - - - -	Audlem.
	Northwich - - - - -	Congleton - - - - - Middlewich. Sandbach.	Northwich.
	Prestbury - - - - -	Macclesfield - - - - -	Bollin Fee. Chorley. Pownall Fee. Poynton.
	Stockport - - - - -	Stockport - - - - -	Dukinfield. Hyde.
	Wirral - - - - -	Birkenhead. Weston.	

(a) The Commissioners meet at March every third year only, to hear Appeals against New Assessments on Land and Tenements under Schedules (A.) and (B.) of the Income Tax Acts. The Appeals against all other Assessments in the Division are heard at Chatteris, which is more than four miles from March.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
CORNWALL - - -	East Middle - - - -	Callington - - - -	Gunnislake. Bodmin Land.
	East, North - - - -	Launceston.	
	East, South - - - -	St. Germans Saltash. (a)	Torpoint.
	East Kemer - - - -	Falmouth - - - -	St. Day.
	West Kerrier - - - -	Helston.	
	Lesnewth - - - -	Camelford.	
	East Penwith - - - -	Hayle - - - -	St. Ives. Marazion.
	West Penwith - - - -	Penzance - - - -	St. Just.
	Powder, East - - - -	St. Austell - - - -	Fowey. Lostwithiel. Nevagosssey.
	Powder, West - - - -	Truro - - - -	Chacewater.
	Pydar - - - -	St. Colum - - - -	Padstow. St. Breock.
	Stratton - - - -	Stratton.	
	Trigg - - - -	Bodmin.	
	West - - - -	Liskeard - - - -	Love, East and West.
CUMBERLAND - - -	Allerdale above Derwent - - - -	Whitehaven - - - - Bootle - - - -	Egremont. Workington.
	Allerdale below Derwent - - - -	Aspatria.	
	Cumberland Ward - - - -	Carlisle. Wigton.	
	Derwent - - - -	Cockermouth. Keswick. (b) Maryport. (b)	
	Eskdale Ward - - - -	Brampton. Longtown.	
	Leath Ward - - - -	Penrith - - - -	Alston.
DERBY - - - -	Appletree - - - -	Brailsford - - - - Duffield. (c) - - - -	Duffield. Belper. Heage. Spondon.
	High Peak - - - -	Ashford - - - - Hathersage - - - - Hayfield - - - - Glossop - - - -	Bradwell. Buxton. Chapel-en-le-Frith. Darby. Eyam. Mellor. Tideswell. Youlgreave.

(a) The Commissioners meet at Saltash every third year only, to hear appeals against new assessments under Schedules (A.) and (B.) of the Income Tax Acts. The appeals against all other assessments in the Division are heard at St. Germans, which is more than four miles from Saltash.

(b) The Commissioners meet at Keswick and Maryport every third year only, to hear appeals against new assessments under Schedules (A.) and (B.) of the Income Tax Acts. The appeals against all other assessments in the Division are heard at Cockermouth, which is more than four miles from Keswick and Maryport.

(c) Income Tax appeals only are heard at Duffield. The Courts of Appeal for Land and Assessed Taxes are wholly held at Brailsford, from which Duffield, Belper, Heage, and Spondon are respectively more than four miles distant, but the three last-mentioned places are within four miles from Duffield.

RETURN RELATING TO COURTS OF APPEAL FOR

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
DERBY—continued	Morleston and Litchurch	Derby	Codnor. Crich. Denby. Draycott. Hennor. Ilkeston. Long Eaton. Ockbrook. Ripley. Sandiacre. Sawley.
	Repton	Swarkeston. Swadlincote.	
	Scarsdale	Chesterfield	Alfreton.
	Wirksworth	Ashbourne. Cromford.	
DEVON	Axminster	Honiton Axminster	Stockland. Uplyme. Upottery. Church Stanton. Sampford Courtenay.
	Black Torrington, East	Hatherleigh	Black Torrington.
	Black Torrington, West	Holsworthy	
	Braunton	Barnstaple Ilfracombe	Braunton. Combmartin.
	East Budleigh	Ottery St. Mary, Exmouth	Broad Clyst. East Budleigh. Limpstone. Otterton. Sidbury. Sidmouth. Woodbury. Buckfastleigh.
	Coleridge	Kingsbridge Totnes. Dartmouth.	
	Colyton	Colyton	Branscombe.
	Crediton	Crediton	Morchard Bishops.
	Ermington and Plympton	Yealmpton	Modbury.
	Exeter (City)	Exeter.	
	East Exminster	Exeter	Christow. Kenton. Topsham. Exminster.
	Fremington	Barnstaple. Great Torrington.	
	Hartland	Bideford	Hartland.
	Hayton	Torquay Newton Abbott Paignton. (a)	Brischam. Shaldon, St. Nicholas.
	South Molton	South Molton	Chittlehampton. Swimbridge.
	Plymouth	Plymouth.	
	North Roborough	Roborough.	
	South Roborough	Devonport.	
	Shelbeare, North	Bideford.	
	Shelbeare, South, and Winkleigh	Hatherleigh.	
	Sherwill	Barnstaple	Lynton.
	Tavistock	Tavistock. Okehampton.	
	North Tawton	North Tawton.	
	Teignbridge	Newton Bushell (Highweek)	Ashbarton. Bovey Tracey. Chudleigh. Dawlish. Hennock. Ilington. Teignmouth.

(a) Courts are held at Paignton every third year only, to hear appeals against new assessments, under Schedules (A.) and (B.) of the Income Tax Acts.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants, which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
DEVON—continued.	Tiverton - - - - -	Tiverton - - - - - Cullompton - - - - -	Bampton. Uffculm.
	Witheridge - - - - - Wonford, West - - - - -	Witheridge - - - - - Moretonhampstead. Crockernwell.	Charmleigh.
DORSET - - - - -	Blandford - - - - -	Blandford - - - - -	Milton Abbas.
	Bridport - - - - -	Bridport - - - - - Beaminster.	Lyme Regis.
	Cerne - - - - -	Cerne Abbas.	
	Dorchester - - - - -	Dorchester - - - - -	Abbotsbury. Piddletown. Weymouth. Melcombe Regis.
	Poole Town - - - - -	Poole.	
	Shaftesbury - - - - -	Shaftesbury - - - - -	Gillingham.
	Sherborne - - - - -	Sherborne.	
	Sturminster - - - - -	Sturminster - - - - -	Stalbridge.
	Wareham - - - - -	Wareham - - - - -	Bere Regis. Winfrith. Wool. Swanage.
	Wimborne - - - - -	Wimborne - - - - -	Kinson. Longfleet. Parkstone.
DURHAM - - - - -	Darlington Ward - - - - -	Barnard Castle. Bishop Auckland. Darlington. Woolsingham.	
	Easington Ward - - - - -	Durham - - - - - Sunderland.	Houghton-le-Spring.
	Stockton Ward - - - - -	Stockton - - - - -	Sedgfield.
	Chester Ward - - - - -	Sunderland - - - - - Gateshead - - - - - Lanchester - - - - -	Blaydon. Birtley. Chester-le-Street. Marley Hill. Swalwell. Winlaton. Blackhill. Consett. Leadgate.
ESSEX - - - - -	Barnstable and Chafford - - - - -	Brentwood Grays - - - - -	Great Burstead or Billeri- cay.
	Beacontree - - - - -	Great Ilford. Stratford.	
	Chelmsford - - - - -	Chelmsford - - - - -	Danbury. Great Waltham.
	Colchester - - - - -	Colchester.	
	Dengie - - - - -	Latchingdon - - - - -	Bradwell. Burnham. Heybridge. Southminster. Tillingham.
	Dunmow - - - - -	Great Dunmow - - - - -	Thaxted.
	Epping - - - - -	Harlow - - - - -	Hatfield, Broad Oak.
	Freshwell - - - - -	Great Bardfield.	
	Harwich - - - - -	Harwich.	
	Havering - - - - -	Romford.	
	Hinckford, North - - - - -	Castle Hedingham.	
	Hinckford, South - - - - -	Bocking. Halstead. (a)	

(a) Income Tax appeals only are heard at Halstead. Bocking, where the Land and Assessed Tax appeals are heard, is more than four miles from Halstead.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants, which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
ESSEX—continued.	Lexden - - - - -	Colchester - - - - -	Brightlingsea. Dedham.
	Maldon - - - - -	Maldon.	
	Ongar - - - - -	Ongar.	
	Rochford - - - - -	Rochford - - - - -	Leigh. Rayleigh. South Shoebury.
	Tendring - - - - -	Mistley. Thorpe.	
	Walden - - - - - Witham - - - - -	Saffron Walden - - - - Witham.	Stansted.
GLOUCESTER	Barton Regis - - - - -	Bristol. Thornbury.	
	Berkley, Upper - - - - -	Dursley - - - - -	Wotton-under-Edge.
	Bibury - - - - -	Fairford.	
	Bisley - - - - -	Stroud.	
	Botloe - - - - -	Newent.	
	Cheltenham - - - - -	Cheltenham.	
	Cirencester - - - - -	Cirencester.	
	Coleford - - - - -	Lydney. Coleford.	
	Dudstone and King's Barton Ford, or Kiftsgate, Lower - - - - -	Gloucester - - - - - Winchcomb.	Badgeworth.
	Gloucester, City - - - - -	Gloucester.	
	Grumbald's Ash - - - - -	Old Sodbury.	
	Longtree - - - - -	Nailsworth - - - - -	Tetbury.
	Morton or Kiftsgate, Upper Northleach - - - - -	Campden - - - - - Northleach.	Moreton-in-Marsh.
	Newnham - - - - -	Newnham.	
	Slaughter - - - - -	Stow-on-the-Wold - - - -	Bourton-on-Water.
	Tewkesbury Borough - - - - -	Tewkesbury.	
	Tewkesbury, Lower - - - - -	Tewkesbury.	
	Whitstone - - - - -	Whitminster.	
HEREFORD	Bromyard - - - - -	Bromyard.	
	Harewood End - - - - -	Harewood End. Whitchurch.	
	Hereford, City - - - - -	Hereford.	
	Hereford, North - - - - -	Hereford.	
	Hereford, South - - - - -	Hereford.	
	Kington - - - - -	Kington.	
	Ledbury - - - - -	Ledbury.	
	Leominster - - - - -	Leominster.	
	Leominster Borough - - - - -	Leominster.	
	Peterchurch - - - - -	Ewyas Harold and Peter- church.	
	Ross - - - - -	Ross.	
	Weobley - - - - -	Weobley.	
	Wigmore - - - - -	Wigmore.	
HERTFORD	Braughin - - - - -	Ware - - - - -	Braughin. Standon.
	Broadwater - - - - -	Welwyn - - - - - Baldock - - - - -	Hatfield. Stevenage.
	Cashio - - - - -	St. Albans - - - - - Watford.	Chipping Barnet.
	Dacorum - - - - -	Hemel Hempstead. Berkhampstead.	
	Edwinstree - - - - -	Buntingford - - - - -	Much Hadham.
	Hertford - - - - -	Waltham Cross - - - - -	
	Hitchin - - - - -	Hitchin - - - - -	Cockcote. Kimpton. Kingswalden. Paulswalden.
	St. Albans - - - - -	St. Albans.	
	Odsey - - - - -	Royston - - - - -	
			Ashwell.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
HUNTINGDON - - -	Huntingdon Borough - - -	Huntingdon.	
	Hurstingstone - - -	St. Ives.	
		Ramsay (a).	
	Leightonstone - - -	Kimbolton.	
	Norman Cross - - -	Norman Cross.	
		Fletton (a).	
	Toseland - - -	Buckden - - -	Godmanchester. St. Neot's.
KENT - - -	Ashford - - -	Ashford - - -	Bettersden. Charing. Chilham. Chartham. Wye. Smarden.
	Aylesford, East - - -	Maidstone - - -	Headcorn. Hollingbourne. Senham. Sutton Valence.
	Aylesford, North - - -	Rochester. Gravesend.	
	Aylesford, Lower, South - - -	Pembury - - -	Brenchly.
		Tunbridge Wells - - -	Horsmonden.
		Tunbridge - - -	Lamberhurst. Hadlow.
	Aylesford, Upper, South - - -	West Malling - - -	Ightham. Wrotham. Yalding.
	Blackheath - - -	Greenwich - - -	Crayford. Erith. Plumstead. Woolwich.
	Bromley - - -	Bromley - - -	Bexley. St. Mary Cray.
	Canterbury City - - -	Canterbury.	
	Dartford - - -	Dartford - - -	Swanscombe.
	Dover - - -	Dover.	
	Elham - - -	Elham.	
	Faversham Town - - -	Faversham.	
	Folkestone - - -	Folkestone.	
	Fordwich - - -	Fordwich.	
	Hythe - - -	Hythe.	
	Lydd - - -	Lydd.	
	Romney - - -	Romney.	
	St. Augustine, West - - -	Canterbury - - -	Whitstable. Herne Bay.
	Sandwich - - -	Sandwich. Deal. Ramsgate.	
	Seray, Lower - - -	Cranbrook - - -	Benenden. Biddenden. Hawkhurst. Marden. Sandhurst. Staplehurst. Woodchurch. Rolvenden.
	Seray, Upper - - -	Sittingbourne - - -	Eastchurch. Minster (Sheerness). Rainham.
		Faversham - - -	Lynsted.

(a) The Commissioners meet at Ramsay and Fletton every third year only to hear appeals against new assessments under Schedules (A.) and (B.) of the Income Tax Acts. The appeals against all other assessments in the Divisions are heard at St. Ives and Norman Cross respectively, the former of which is more than four miles from Ramsay.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales, are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
KENT—continued - - -	Sevenoaks - - - - -	Sevenoaks - - - - -	Brasted. Chiddingstone. Edenbridge. Leigh. Penshurst. Shoreham. Sundridge. Westerham.
	Tenterden - - - - -	Tenterden.	
	Thanet - - - - -	Margate.	
	Wingham - - - - -	Wingham - - - - -	St. Lawrence.
LANCASTER - - - -	Amounderness - - - - -	Preston - - - - -	Alston. Goosnargh. Kirkham. Layton. Lytham. Marton, Great. Pilling. Poulton. Thornton. Woodplumpton.
	Blackburn - - - - -	Burnley - - - - -	Bacup. Barrowford. Colne. Crawshaw Booth. New Church, Rossendale. Rawtenstall.
		Blackburn - - - - -	Accrington. Church. Clayton-le-Moors. Harwood. Haslingden. Oswaldtwisle. Over Darwen. Walton-le-Dale.
	Bolton - - - - -	Bolton, Great Bury - - - - -	Aspull. Blackrod. Edgeworth. Horwich. Hulton, Little. Kirsby. Westhoughton.
	Clitheroe - - - - -	Clitheroe.	
	Lancaster Borough - - - - -	Lancaster.	
	Leyland - - - - -	Chorley. Leyland.	
	Liverpool - - - - -	Liverpool.	
	Lonsdale, South - - - - -	Lancaster.	
	Lonsdale, North - - - - -	Ulverston - - - - - Barrow-in-Furness - - - - -	Broughton, West. Dalton. Haverthwaite. Hawkshead. Holker, Lower. Holker, Upper. Kirkby Ireleth.
	Manchester City - - - - -	Manchester - - - - -	Denton. Didsbury. Droylsden. Failsworth.
	Manchester Division - - - - -	- ditto - - - - -	Flixton. Haughton. Heaton Norris. Reddish.
	Middleton - - - - -	Ashton-under-Lyne. Rochdale - - - - - Oldham - - - - -	Chadderton. Middleton. Todmorden and Walsden.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
LANCASTER—continued -	Ormskirk - - - - -	Ormskirk. Southport. Waterloo.	
	Prescot - - - - -	Kirkdale. Toxteth Park. West Derby Municipal. Prescot. Liverpool. St. Helens. Woolton.	
	Preston Borough - - - -	Preston.	
	Salford - - - - -	Salford.	
	Warrington - - - - -	Newton-le-Willows - - - Warrington - - - -	Atherton. Hindley. Ince. Leigh. Pemberton. Tyldesley.
	Wigan Borough - - - -	Wigan.	
LEICESTER - - - -	Framland - - - - -	Melton Mowbray - - -	Bottesford.
	Gartree - - - - -	East Norton - - - - Leicester - - - - - Kibworth Harcourt.	Bowden Magna. Market Harborough.
	Goscote, East - - - - -	Syston - - - - -	Barrow-on-Soar.
	Goscote, West - - - - -	Loughborough - - - - Ashby-de-la-Zouch - - -	Castle Donnington. Keyworth. Seals. Sheepshead. Thringstone. Whitwick. Wimeswold.
	Guthlaxton - - - - -	Leicester. Lutterworth.	
	Leicester Borough - - - -	Leicester.	
	Sparkenhoe - - - - -	Ashby-de-la-Zouch - - - Market Bosworth - - -	Appleby. Enderby. Hugglescote. Ibstock. Markfield.
LINCOLN - - - -	Aslaoe - - - - -	Lincoln.	
	Ashwardham - - - - -	Sleaford - - - - -	Heckington.
	Aveland - - - - -	Towingham - - - - -	Bourn.
	Bettisloe - - - - -	Grimsthorpe.	
	Bolingbroke - - - - -	Spilsby - - - - -	Sibsey.
	Boothby Graffoe - - - - -	Navenby - - - - -	Bassingham.
	Boston Borough - - - - -	Boston.	
	Bradley Haverstoe - - - -	North Thoresby.	
	Calceworth - - - - -	Alford.	
	Candleshoe - - - - -	Spilsby - - - - -	Burgh-le-Marsh. Friskney. Wainfleet.
	Corringham - - - - -	Gainsborough - - - -	Kirton.
	Flaxwell - - - - -	Sleaford.	
	Gartree - - - - -	Hemingby.	
	Grantham - - - - -	Grantham.	
	Grimsby - - - - -	Great Grimsby.	
	Hill - - - - -	Tetford.	
	Holland Elloe - - - - -	Holbeach - - - - -	Long Sutton.
		Spalding - - - - -	Crowland.
	Horncastle - - - - -	Horncastle - - - - -	Coningsby.
	Kirton - - - - -	Boston - - - - -	Donington. Gosberton. Sutterton. Swineshead.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND— <i>continued.</i>			
L I N C O L N— <i>continued.</i>	Langoe - - - - -	Blankney - - - - -	Billingham.
	Lawness - - - - -	Lincoln.	
	Lincoln, City - - - - -	Lincoln.	
	Louth, Eske, and Ludborough	Louth - - - - -	North Somercotes.
	Lovedon - - - - -	Fulbeck.	
	Manley - - - - -	Epworth - - - - -	Crowle.
		Burton Stather - - - - -	Winterton.
	Ness - - - - -	Market Deeping.	
	Skirbeck - - - - -	Boston - - - - -	Leake.
			Wrangle.
	Stamford - - - - -	Stamford.	
	Walsheroft - - - - -	Market Rasen.	
	Well - - - - -	Lincoln.	
	Winnibriggs and Threo - - - - -	Grantham.	
	Wraggoe - - - - -	Wragby.	
	Yarborough - - - - -	Caistor - - - - -	Brigg.
M I D D L E S E X - - -	City of London - - - - -	City of London.	
	<i>Westminster.</i>		
	Duchy of Lancaster - - - - -	Vestry House, Strand.	
	St. Anne - - - - -	Vestry Room, Soho.	
	St. Clement's - - - - -	Vestry House, Strand.	
	St. George, Hanover-square	1, Queen-street, May Fair.	
	St. James' - - - - -	Vestry Hall, Piccadilly.	
	St. Margaret and St. John - - - - -	Westminster.	
	St. Martin-in-the Fields - - - - -	19, Buckingham-street, Strand.	
	St. Paul, Covent-garden - - - - -	Vestry Room, Covent-garden.	
	Verge of the Palaces - - - - -	Board of Green Cloth, Buckingham Gate.	
	Inns of Court - - - - -	Lincoln's Inn Hall.	
		Gray's Inn Hall.	
		Middle Temple Hall.	
		Inner Temple Hall.	
	Bloomsbury - - - - -	Great Queen-street, Bloomsbury.	
	Brentford - - - - -	Brentford.	
	Edmonton - - - - -	Enfield - - - - -	Barnet.
	Finsbury - - - - -	Clerkenwell - - - - -	Finchley.
		Finsbury - - - - -	Whetstone.
	Gore - - - - -	Edgware - - - - -	Harrow.
	Holborn - - - - -	24, Red Lion-square, Holborn.	
		Finsbury.	
		Westminster.	
	Kensington - - - - -	25, Upper Phillimore-place.	
	St. Marylebone - - - - -	Marylebone.	
	Spelthorne - - - - -	Sunbury.	
		Hampton.	
		Staines.	
	Tower - - - - -	33, Spital-square.	
	Uxbridge - - - - -	Uxbridge.	
M O N M O U T H - - -	Abergavenny - - - - -	Abergavenny - - - - -	Aberystwith.
	Bedwelty - - - - -	Tredegar.	
		Blackwood.	
	Caerleon - - - - -	Caerleon.	
	Chepstow - - - - -	Chepstow.	
	Christchurch - - - - -	Christchurch.	
	Monmouth - - - - -	Monmouth.	
	Newport - - - - -	Newport.	
		Risca.	
	Pontypool - - - - -	Pontypool - - - - -	Llanover, Upper.
	Raglan - - - - -	Raglan.	
	Skenfrith - - - - -	Newcastle.	
	Trellick - - - - -	Trellick.	
	Usk - - - - -	Usk.	

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
NORFOLK - - -	Blofield and Walsham - - -	Blofield.	
	Clackclose - - -	Downham Market.	
	Depwade - - -	Long Stratton.	
	Diss - - -	Diss.	
	Earsham - - -	Harleston.	
	Erpingham, North - - -	Cromer - - -	Sherringham.
	Erpingham, South - - -	Aylsham.	
	Eynsford - - -	Reepham - - -	Foulsham.
	Flegg - - -	Rollesby - - -	Caister.
	Forehoe - - -	Wymondham - - -	Hingham.
	Freebridge, Lynn - - -	Gayton.	
		Hillington.	
	Freebridge, Marshland - - -	Terrington.	
		St. Clements.	
	Gallow - - -	Fakenham.	
	Greenhoe, North - - -	Little Walsingham - - -	Wells.
	Greenhoe, South - - -	Swaffham.	
	Grimshoe - - -	Mundford - - -	Feltwell.
			Methwold.
			Northwold.
	Guiltecross and Shropham - - -	East Harling - - -	Banham.
			Attleborough.
			Old Backenham.
	Hinstead - - -	Stoke, Holy Cross.	
	Holt - - -	Holt.	
	King's Lynn - - -	King's Lynn.	
	Launditch - - -	Litcham.	
		North Elmham.	
	Loddon and Clavering - - -	Loddon - - -	Ditchingham.
	Mitford - - -	East Dereham - - -	Shipdham.
			Mattishall.
	Norwich City - - -	Norwich.	
	Smithdon and Brothecross - - -	Docking.	
		Snettisham.	
	Taversham - - -	Norwich.	
	Thetford (part) - - -	Thetford.	
	Tanstead and Happing - - -	Smallburgh.	
	Wayland - - -	Watton.	
	Yarmouth, Great - - -	Yarmouth, Great.	
NORTHAMPTON - - -	Brackley - - -	Middleton Cheney.	
		Brackley. (a)	
	Daventry - - -	Daventry - - -	West Haddon.
			Crick.
			Weedon.
			Welford.
			Long Buckley.
	Kettering - - -	Kettering.	
	Northampton - - -	Northampton.	
	Northampton Borough - - -	Northampton.	
	Oundle - - -	Oundle - - -	Cliffe Regis.
			Thrapston.
	Peterborough - - -	Peterborough.	
	Towcester - - -	Towcester.	
	Wellingborough - - -	Wellingborough - - -	Higham Ferrers.
NORTHUMBERLAND - - -	Bamburgh - - -	Belford.	
	Berwick - - -	Berwick-on-Tweed.	
	Coquetdale - - -	Alnwick - - -	Amble.
		Rothbury.	
	Glendale - - -	Wooler.	

(a) The Commissioners meet at Brackley to hear appeals against Income Tax Assessments only. Appeals against assessments to the Land and Assessed Taxes for the division are heard at Middleton Cheney, which is more than four miles from Brackley.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants, which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
NORTHUMBERLAND— continued.	Castle Ward - - - -	North Shields.	
	Morpeth Ward - - - -	Newcastle-upon-Tyne. Morpeth - - - -	Bedlington. Cowper.
	Newcastle Town - - - -	Newcastle-upon-Tyne.	
	Norham and Islandshire - - - -	Berwick-on-Tweed.	
	Tindale Ward - - - -	Hexham - - - -	Allendale. Bellingham. Hultwhistle.
NOTTINGHAM - - - -	Bassetlaw - - - -	Retford - - - - Worksop.	Ollerton - with - Edwin- stowe. Misterton. Tuxford. Warsop.
	Bingham - - - -	Bingham.	
	Broxtow, North - - - -	Mansfield.	
	Broxtow, South - - - -	Nottingham.	
	Newark Borough - - - -	Newark.	
	Newark Hundred - - - -	Newark.	
	Nottingham Town - - - -	Nottingham.	
	Retford Borough - - - -	East Retford.	
	Rushcliffe - - - -	Nottingham.	
	Thurgarton, North - - - -	Newark.	
	Thurgarton, South - - - -	Southwell	
		Nottingham.	
OXFORD - - - -	Bampton - - - -	Witney - - - -	Bampton. Burford.
	Banbury and Bloxham - - - -	Banbury.	
	Banbury Borough - - - -	Banbury.	
	Bullingdon - - - -	Wheatley - - - -	Thane.
	Chadlington - - - -	Chipping Norton - - - -	Charlbury.
	Henley - - - -	Henley.	
	Oxford City - - - -	Oxford.	
	Oxford University - - - -	Oxford.	
	Ploughley - - - -	Bicester.	
	Watlington - - - -	Watlington.	
	Wootton - - - -	Deddington.	
		Woodstock.	
RUTLAND - - - -	Alstoe - - - -	Oakham.	
	East - - - -	Oakham.	
	Martinsley - - - -	Oakham - - - -	Uppingham.
	Oakham - - - -	Oakham.	
	Wrangdyke - - - -	Oakham.	
SALOP - - - -	Brimstree, South - - - -	Bridgnorth - - - - Cleobury Mortimer.	Claverly.
	Brimstree, West - - - -	Shiffnall - - - -	Albrighton.
	Chirbury - - - -	Worthen.	
	Clun and Purslow - - - -	Bishop's Castle.	
	Condover - - - -	Condover.	
	Drayton - - - -	Drayton.	
	Ford - - - -	Cruckton.	
	Ludlow Borough - - - -	Ludlow.	
	Manslow and Overs - - - -	Ludlow.	
	Newport - - - -	Newport - - - -	Littleshall-with-Maxton.
	Oswestry - - - -	Oswestry.	
	Pimhill - - - -	Ellesmere - - - -	Baschurch.
	Shrewsbury - - - -	Shrewsbury.	
	Wellington - - - -	Wellington.	
	Wenlock - - - -	Much Wenlock - - - -	Coalbrookdale. Madeley. Ironbridge.
	Whitchurch - - - -	Whitchurch - - - -	Prees. Wem.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
SOMERSET - - -	Bath City - - -	Bath.	Camerton. Dunkerton. Wellow - with - Whitox- mead.
	Bath Forum - - -	Bath - - -	
	Bedminster - - -	Long Ashton - - -	Clevedon.
	Bishop's Lydeard - - -	Bishop's Lydeard.	
	Bridgwater Borough - - -	Bridgwater.	Porlock, Luccombe, and Yarnor.
	Bridgwater Division - - -	Bridgwater.	
	Bristol City - - -	Bristol.	Kilmersdon. Radstock.
	Carhampton - - -	Dunster - - -	
	Chewton - - -	Temple Cloud.	Chard. Crewkerne. South Petherton.
	Frome - - -	Frome - - -	
	Ilminster - - -	Ilminster - - -	Dulverton.
	Keynsham - - -	Keynsham.	
	Milverton - - -	Wiveliscombe - - -	Ditchet.
	Shepton Mallet - - -	Shepton Mallet - - -	
	Somerton - - -	Somerton - - -	Butleigh. Higham. Langport. Street.
	Taunton - - -	Taunton - - -	
	Wellington - - -	Wellington.	Stoke St. Gregory. North Curry. Pitminster.
	Wells City - - -	Wells.	
	Wells Forum - - -	Wells - - -	Glastonbury. Meare.
	Williton - - -	Williton - - -	
	Wincanton - - -	Wincanton - - -	Old Cleeve. Stogursey.
	Wroughton - - -	Axbridge. Weston-super-Mare (a).	
	Yeovil - - -	Yeovil - - -	Bonton. Castle Cary. Hendridge. Milborne Port.
	Alton, North - - -	Alton - - -	
SOUTHAMPTON - - -	Alton, South - - -	Petersfield - - -	Martock.
	Andover - - -	Andover.	
	Basingstoke - - -	Basingstoke - - -	Binstead. Headley. Selborne.
		Odiham - - -	
		Aldershot - - -	Bramsholt. Catherington. Eastmeon.
	Fareham - - -	Fareham - - -	
		Portsea - - -	Crandall. Hartley Wintney. Yateley.
	Fawley - - -	Winchester - - -	
		Alresford - - -	Bishop's Waltham. Droxford. Gosport. Havant.
			Bishopstoke. Hursley. Twyford.

(a) Appeals against Income Tax Assessments only are heard at Weston-super-Mare. Appeals against assessments to the Land and Assessed Taxes for the Division of Wroughton are heard at Axbridge, which is more than four miles from Weston.

C O U N T Y.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places, where Courts of Appeal for Assessed and other Taxes in England and Wales are situated or held.	Boroughs or Towns containing over 1,000 Inhabitants, which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
SOUTHAMPTON—cont ^d .	Isle of Wight - - - -	Newport - - - -	Brading. Ryde. Ventnor. West Cowes. Shanklin. Sandown. Yarmouth.
	Kingsclere - - - -	Kingsclere - - - - Overton - - - -	East Woodhay St. Mary Bourne.
	New Forest, East - - - -	Lymington.	
	New Forest, West - - - -	Christchurch - - - - Ringwood. Fordingbridge.	Bournemouth.
	Romsey - - - -	Romsey.	
	Southampton - - - -	Southampton.	
	Southampton, Town - - - -	Southampton.	
	Winchester, City - - - -	Winchester.	
STAFFORD - - - -	Cheadle - - - -	Cheadle - - - -	Alton. Checkley. Ipstones. Weston Corsney.
	Cattlestone - - - -	Stafford - - - - Penkridge - - - -	Ashton Wheaton. Brewood. Cannock. Gnosall. Rugeley. Wyrley Magna.
	Lichfield, City - - - -	Lichfield.	
	Newcastle, Borough - - - -	Newcastle-under-Lyme.	
	Offlow, North - - - -	Burton-under-Needwood - - Burton-on-Trent (a) - -	Hornington. Tutbury.
	Offlow, South - - - -	Lichfield - - - - Handsworth - - - -	Aldridge. Pelsall. Rushall. Tamworth. Wigginton. Harborne. Tipton. Wednesbury.
	Pirehill, North - - - -	Burslem - - - - Hanley. Longton. Keele. Stoke-on-Trent. Eccleshall.	Biddulph.
	Pirehill, South - - - -	Stone - - - -	Chartley Holme. Colwich. Hopton and Coton.
	Leisdon - - - -	Brierley Hill - - - -	Kinfare.
	Stafford, Borough - - - -	Stafford.	
	Totmonslow, North - - - -	Leek - - - -	Alstonefield. Endon. Leekfrith. Longnor.
	Totmonslow, South - - - -	Uttoxeter - - - -	Abbots Bromley. Ellastone. Leigh. Rocester.

(a) Appeals against Income Tax Assessments only are heard at Burton-on-Trent, which is more than four miles from Tutbury. The Court of Appeal for Land and Assessed Taxes is held at Burton-under-Needwood, which is more than four miles from Burton-on-Trent, Hornington, and Tutbury.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants which are Situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
SUFFOLK	Babergh	Boxford	Leiston. Southwold. Wrentham. Yoxford.
	Blackbourne	Long Melford.	
	Blything	Ixworth.	
		Halesworth	
	Bosmere and Claydon	Needham Market.	
	Bury, Borough	Bury St. Edmunds.	
	Cosford	Hadleigh.	
	Dunwich, Borough	Dunwich.	
	Hartismere	Eye.	
	Hoxne	Stradbroke.	
	Ipswich, Borough	Ipswich.	
	Lackford	Mildenhall	
	Mutford and Lothingland	Lowestoft	
	Plomesgate	Saxmundham	
	Risbridge	Haverhill	
		Wickhambrook.	
	Samford and Colneis	Ipswich	
	Stow	Stowmarket.	
	Sudbury, Borough	Sudbury.	
	Thedwastre	Bury St. Edmunds	
	Thetford Borough	Thetford.	
	Thingoe	Bury St. Edmunds.	
	Wangford	Beccles	
	Woodbridge	Woodbridge	
		Framlingham	
SURREY	Blackheath	Guildford.	Streatham. Penge. Frimley. Woking.
	Brixton, East, First Division	Bermondsey	
	Brixton, East, Second Division	Kennington.	
	Brixton, East, Third Division	Newington.	
	Brixton, West	Wandsworth	
	Copthorne and Effingham	Epsom.	
	Farnham	Farnham	
	Godalming	Godalming.	
	Godley	Chertsey.	
	Guildford	Guildford.	
	Kingston and Elmbridge	Kingston-on-Thames.	
		Richmond.	
	Reigate	Reigate.	
	Southwark	Southwark.	
	Tandridge	Godstone.	
	Wallington	Croydon.	
	Woking	Guildford	
	Wotton	Dorking.	
SUSSEX	Arundel, Upper	Arundel.	Shoreham. Worthing. Bognor. Chorley. Ditchling. Hurstpierpoint. Keymer. Newhaven. Hailsham.
	Arundel, Lower	Petworth.	
	Bramber, Upper	Steyning	
	Bramber, Lower	Horsham.	
	Brighton	Brighton.	
	Chichester, Upper	Chichester	
	Chichester, Lower	Midhurst.	
	Hastings Borough	Hastings.	
	Hastings Rape	Battle.	
	Lewes, Upper	Lewes	
	Lewes, Lower	Uckfield.	
	Pevensey, Upper	Eastbourne.	

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places, where Courts of Appeal for Assessed and other Taxes, in England and Wales, are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants, which are Situated more than Four Miles from the Courts of Appeal.
ENGLAND--continued.			
SUSSEX--continued	Pevensey, Lower Pevensey, Liberty Rye Division Rye Town Seaford Winchelsea	Uckfield Pevensey. Rye. Rye. Seaford. Winchelsea.	East Grinstead.
WARWICK	Barlichway Birmingham Coventry Henlingford Kenilworth Kineton Kirkby Rugby Southam	Stratford-on-Avon. Henley in Arden. Alcester. Birmingham. Coventry. Atherstone Birmingham Leamington Wellesbourne Rugby Rugby. Leamington	Nuneaton. Sutton Coldfield. Kenilworth. Kineton. Bedworth. Southam. Napton.
WESTMORELAND	East Ward Kendal Ward Lonsdale Ward West Ward	Appleby. Kirkby Stephen (a) Ambleside Milnthorpe Heversham. Kirkby Lonsdale. Hackthorpe.	Windermere. Kendal.
WILTS	Amesbury Calne Chippenham Devizes Highworth Hindon Kingsbridge Kinwardstone Malmesbury Malmesbury Borough Marlborough Melksham Sarum, New Salisbury Trowbridge Warminster	Amesbury. Calne. Chippenham Devizes Highworth Hindon Swindon Great Bedwyn Malmesbury. Malmesbury. Marlborough Melksham Salisbury. Salisbury Trowbridge Warminster	Box. Coleme. Corsham. Bromham. West Lavington. Market Lavington. Ashton Keynes. Cricklade. Purton. Donhead. Mere. Lyneham. Wootton Bassett. Pewsey. Aldbourne. Ramsbury. Scend. Southwick.
WORCESTER	Blockley Droitwich Dudley Hundred House Kidderminster Northfield Persnore, East Persnore, West Stourbridge Upton Worcester City Worcester Division	Blockley Bromsgrove Droitwich. Dudley. Great Witley Kidderminster. Stourport. King's Heath. Evesham. Persnore. Stourbridge. Hagley. Upton-on Severn. Great Malvern. Worcester. Worcester.	Shipston-on-Stour. Redditch. Bewdley.

(a) Assessed Tax Appeals only are heard at Kirkby Stephen. The Income Tax Appeals are wholly heard at Appleby, which is more than four miles from Kirkby Stephen.

COUNTY.	HUNDRED OR DIVISION.	Borough, Towns, or Places, where Courts of Appeal for Assessed and other Taxes, in England and Wales, are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants, which are Situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
YORK (EAST RIDING) -	Bainton Beacon - - -	Driffield.	
	Buckrose - - -	North Grimston - - -	Norton.
	Dickering - - -	Bridlington - - -	Filey.
	Holderness, Middle - - -	Hedon.	
		Hull.	
	Holderness, North - - -	Leven - - -	Hornsea.
	Holderness, South - - -	Patrinton.	
	Holme Beacon - - -	Market Weighton.	
	Howdenshore - - -	Howden.	
	Hunsley, North - - -	Beverley.	
	Hunsley, South - - -	Welton - - -	Cottingham.
	Kingston-upon-Hull - - -	Hull - - -	Hessle.
	Ouse and Derwent - - -	Fulford.	
	Wilton Beacon - - -	Pocklington.	
	York Ainsty - - -	York.	
	York City - - -	York.	
YORK (NORTH RIDING) -	Allertonshore - - -	Northallerton - - -	Osmotherly.
	Bulmer - - -	York.	
	Birdforth - - -	Thirsk.	
	Gilling, East - - -	Ainderby Steeple.	
		Scorton.	
	Gilling, West - - -	Richmond - - -	Reeth.
		Greta Bridge.	
	Hallikeld - - -	Welmerby.	
	Hang, East - - -	Bedale - - -	Masham.
	Hang, West - - -	Leyburn - - -	Hawes.
		Askrigg ^(a) .	
	Langbaugh, East - - -	Guisborough - - -	Eston.
			Slaithes (Hinderwell).
			Kirkleatham.
			Marske.
			Normanby.
			Redcar.
			Yarm.
	Langbaugh, West - - -	Stokesley - - -	
	Malton - - -	Malton.	
	Pickering Lyth, East - - -	Wykeham.	
	Pickering Lyth, West - - -	Pickering.	
	Richmond Borough - - -	Richmond.	
	Rydale - - -	Kirbymoorside.	
		Helmsley.	
	Scarboro' Boro' - - -	Scarborough.	
	Whitby Swand - - -	Whitby.	
YORK (WEST RIDING) -	Agbrigg, Lower - - -	Wakefield - - -	Dewsbury.
	Agbrigg, Upper - - -	Huddersfield - - -	Anstonly.
			Cartworth.
			Cumberworth Half.
			Fulstone.
			Hepworth.
			Honley.
			Kirkburton.
			Lepton.
			Marsden.
			Meetham.
			Mirfield.
			North Crosland.
			Netherthong.
			Scammonden.
			Shelley.
			Shepley.
			Haithwaite.
			Shenstonland.
			Upperthong.
			Wooldale.

(a). The Commissioners meet at Askrigg every third year only to hear Appeals against New Assessments, under Schedules A. and B. of the Income Tax Acts.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
ENGLAND—continued.			
YORK (WEST RIDING)— continued.	Barkstone Ash - - - -	Sherburn - - - -	Bramham. Tadcaster. Clifford-cum-Bostow. Cawood. Borobridge.
	Claro - - - -	Selby - - - - Knaresborough - - - - Wetherby. (a) Pateley Bridge. (a) Doncaster.	
	Doncaster Borough - - - -	Leeds.	
	Leeds Borough - - - -	Bradford - - - -	Allerton-cum-Wilsden. Calverley-cum-Farsley. Churwell. Cleckheaton. Drighlington. Gildersome. Gomersal. Haworth. Heckmondwicke. Pudsey. Thornton. Brighouse. Hebden Bridge. Todmorden (part).
	Morley, East - - - -		
	Morley, West - - - -	Halifax - - - -	
	Osgold Cross, Lower - - - -	Goole. Snaith.	
	Osgold Cross, Upper - - - -	Wentbridge - - - - Askern.	Pontefract (part of).
	Pontefract Borough - - - -	Pontefract.	
	Ripon City - - - -	Ripon.	
	Ripon Liberty - - - -	Ripon.	
	Sheffield Borough - - - -	Sheffield.	
	Skyrack - - - -	Leeds and Apperley Bridge	Bingley and Otley. Addingham. Barnoldswick. Glusburn. Grassington. Silsden. Sutton.
	Staincliffe, East - - - -	Skipton - - - -	Dent. Bentham. Ingleton.
	Staincliffe, West - - - -	Sedbergh - - - - Settle - - - -	
	Staincross - - - -	Barnsley.	
	Strafforth and Tickhill, Lower - - - -	Doncaster - - - -	Bawtry. Thorne. Tickhill. Hatfield. Mexborough.
	Strafforth and Tickhill, Upper - - - -	Rotherham.	
WALES :			
ANGLESEY - - - -	Beaumaris - - - -	Beaumaris - - - -	Llangefni.
	Bodedern - - - -	Llanerchymedd - - - -	Amlwch.
BRECON - - - -	Brecon Borough - - - -	Brecon.	
	Builth - - - -	Builth.	
	Crickhowell - - - -	Crickhowell - - - - Brynmawr. (b) Defynnock. Perdryn. Ystradgunlais.	Beaufort.
	Defynnock - - - -	Brecon.	
	Merthyr - - - -	Talybont - - - -	Cefn-coedcymmer.
	Penkelly - - - -	Talgarth - - - -	Hay.
	Talgarth - - - -		

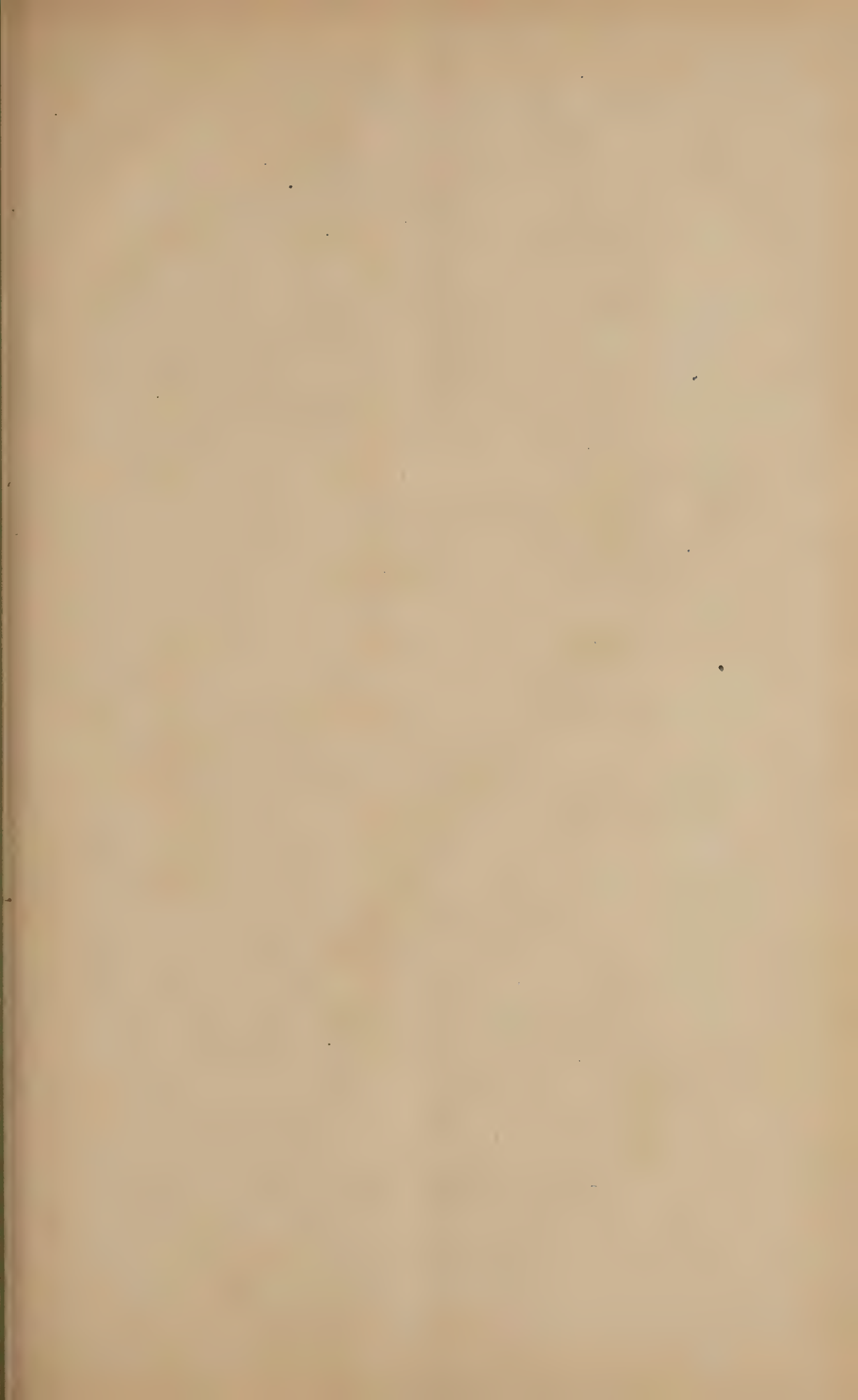
(a) Assessed Tax appeals only are heard at Wetherby and Pateley Bridge. The Income Tax appeals are heard at Knaresborough, from which Wetherby is more than four miles distant.

(b) The Commissioners meet at Brynmawr every third year only to hear appeals against new assessments under Schedules A. and B. of the Income Tax Acts. All other appeals are heard at Crickhowell, which is more than four miles from Brynmawr.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants which are Situated more than Four Miles from the Courts of Appeal.
WALES—continued.			
CARDIGAN - - -	Gennerglyn - - -	Aberystwith.	Aberadyn.
	Ilar - - -	Treddol (a).	
	Moydden - - -	Llanilar - - -	
	Penarth - - -	Llanrhysted (a).	
	Troedyawr - - -	Lampeter.	
CAERMARTHEN - - -	Catheynog - - -	Llanarth.	Newcastle Emblyn.
	Carnawllon - - -	Tregaron.	
	Caermarthen Borough.	Cardigan.	
	Cayo - - -	Llanybyther.	
	Derllys - - -	Foley Arms.	
	Elvet - - -	Llanelly.	
	Iskinnen - - -	Feathers Inn.	
	Kidwelly - - -	Saint Clears.	
	Perfeth - - -	Llanboidy.	
		Conoil - - -	
CARNARVON - - -	Carnarvon - - -	Carmarthen.	Llandilo Town.
	Conway - - -	Llandibre.	
		Kidwelly.	
		Llangedrine.	
		Llandovery - - -	
DENBIGH - - -		Llangadock.	Holt.
	Bromfield - - -	Carnarvon.	
	Cynlleth and Mochnant - - -	Aber - - -	
	Isaled - - -	Conway - - -	
	Jedulas and Uwchaled - - -	Tyhwnt-ir-bont.	
	Nanthewdwy - - -	Pwllheli - - -	
	Ruthin - - -	Criecieth - - -	
	Uwchdulas - - -		
	Uwchmynydd - - -		
	Yall - - -		
FLINT - - -	Coleshill - - -	Wrexham - - -	Flint.
	Maylor - - -	Llangedwyn and Llanrhaiadr.	
	Mold - - -	Denbigh.	
	Prestatyn - - -	Abergele.	
	Rhuddlan - - -	Llangollen.	
GLAMORGAN - - -		Ruthin.	Lantwit Major.
	Caerphilly - - -	Llanrwst.	
	Cardiff - - -	Cerrigydruidwn.	
	Cowbridge - - -	Llandigla.	
	Cowbridge Town - - -		
	Dynas Powas - - -		
	Kibbor - - -		
	Llangefelach - - -		
	Miskin - - -		
	Neath Town - - -		
	Newcastle - - -		
	Ogmore - - -		
	Swansea - - -		

(a) Appeals against land and assessed taxes only are heard at Treddol and Llanyrhysted.

COUNTY.	HUNDRED OR DIVISION.	Boroughs, Towns, or Places where Courts of Appeal for Assessed and other Taxes in England and Wales are Situated or Held.	Boroughs or Towns containing over 1,000 Inhabitants which are situated more than Four Miles from the Courts of Appeal.
WALES—continued.			
MERIONETH - - -	Ardudwy, Is - - - -	Barmouth.	Festiniog.
	Ardudwy, Uwch - - - -	Penrhyndendraeth - - -	
	Enderinion - - - -	Corwen.	
	Estimanor - - - -	Towyn.	
		Pennal.	
	Mowddy - - - -	Dinas.	
	Penllyn - - - -	Bala.	
	Talybont - - - -	Dolgelly.	
MONTGOMERY - - -	Cause, Lower - - - -	Cefn.	
	Cause, Upper - - - -	Welshpool.	
	Deytheur - - - -	Llandisilio.	
	Llanfyllin - - - -	Llanfyllin.	
	Llanidloes, Lower - - - -	Llandinam.	
	Llanidloes, Upper - - - -	Llanidloes.	
	Machynlleth - - - -	Machynlleth.	
	Mathrafal - - - -	Llanfair.	
	Montgomery, Lower - - - -	Montgomery.	
	Montgomery, Upper - - - -	Kerry.	
	Newtown, Lower - - - -	Berriew.	
	Newtown, Upper - - - -	Newtown.	
	Pool, Lower - - - -	Llansantffraid.	
PEMBROKE - - -	Pool, Upper - - - -	Guildsfield.	St. David's. Llanwnda. Whitechurch. Fishguard. Nevers. Newport. St. Dogmells. (Part of Borough of Cardigan.) Clydey. Burton. Hubberston. Llanstadwell. Steynton.
	Pool, Town - - - -	Welshpool.	
	Castle Martin - - - -	Pembroke.	
	Dewsland - - - -	Mathry - - - -	
	Dungledy - - - -	Haverfordwest.	
	Haverfordwest - - - -	Haverfordwest.	
	Kemes - - - -	Eglwyswrw - - - -	
	Kilgerran - - - -	Kilgerran - - - -	
	Narberth - - - -	Narberth.	
	Roose - - - -	Haverfordwest - - - -	
	Tenby - - - -	Tenby.	
RADNOR - - -	Colwyn - - - -	Llansaintffraid.	
	Cefnlllys - - - -	Penybont.	
	Knighton - - - -	Knighton.	
	Painscastle - - - -	Clyne.	
	Radnor Borough - - - -	New Radnor.	
	Radnor - - - -	Presteign.	
	Rhayader - - - -	Rhayader.	



TAXES (COURTS OF APPEAL).

RETURN of all BOROUGHs or TOWNS containing over ONE THOUSAND INHABITANTS which are Situated more than FOUR MILES from the COURTS of APPEAL for ASSESSED and other TAXES in *England* and *Wales*, and in what Places the COURTS of APPEAL are Situated.

(*Mr. Treeby.*)

*Ordered, by The House of Commons, to be Printed,
11 May 1868.*

SUPERIOR COURTS OF COMMON LAW, &c.

RETURN of all FEES received in STAMPS and PAYMENTS formerly charged on the FEE FUND ACCOUNT, SUPERIOR COURTS of COMMON LAW, during the Years ended 31st of March 1867 and 1868; also RETURN of RECEIPTS and PAYMENTS in the COURTS of PROBATE and DIVORCE, HIGH COURT of ADMIRALTY, and LAND REGISTRY during the same period.

Treasury Chambers, }
19 June 1868. }

G. SCLATER-BOOTH.

(Presented pursuant to Acts 29 & 30 Vict. c. 101, s. 7, and 30 & 31 Vict. c. 122, ss. 1, 2, 5.)

Ordered, by The House of Commons, to be Printed,
24 June 1868.

RETURN of all FEES received in STAMPS and PAYMENTS formerly charged on the FEE FUND

COURTS AND DEPARTMENTS.	RECEIPTS.								Year ended									
	YEAR		YEAR		Increase.	Decrease.	Salaries and Pensions.	Rent, Taxes, &c.										
	ended 31 March	ended 31 March																
	1867.	1868.																
I. QUEEN'S BENCH:																		
Masters	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.						
Associate	30,357	10	6	27,790	14	-	2,566	16	6	14,930	16	8						
Clerks to the Lord Chief Justice	2,569	-	-	2,438	-	-	131	-	-	1,680	-	-						
Clerks to Mr. Justice Blackburn	2,748	5	6	795	2	-	1,953	3	6	1,500	-	-						
Clerks to Mr. Justice Mellor	1,272	19	-	1,517	6	6	-	-	-	1,000	-	-						
Clerks to Mr. Justice Lush	2,027	10	6	1,475	11	-	551	19	6	1,000	-	-						
Clerks to Mr. Justice Shee	1,656	18	6	1,593	2	-	63	16	6	1,000	-	-						
Clerks to Mr. Justice Hannen	1,068	15	-	1,206	11	-	-	-	-	1,000	-	-						
Marshals to Judges on Circuit	-	-	-	-	-	-	-	-	-	825	-	-						
Messengers, Tipstaves, &c.	-	-	-	-	-	-	-	-	-	1,142	6	7						
	41,700	19	-	36,816	6	6	382	3	6	5,266	16	-						
2. COMMON PLEAS:																		
Masters	22,821	6	6	20,287	13	6	-	-	2,533	13	-	10,933	-	-	558	1	9	
Associate	2,888	-	-	2,795	-	-	-	-	93	-	-	1,510	7	8	-	-	-	
Registrar of Judgments	1,878	-	-	1,455	1	6	-	-	422	18	6	1,276	-	-	-	-	-	
Registrar of Certificates	2,243	-	-	2,404	8	6	161	8	6	-	-	1,200	-	-	-	-	-	
Clerks to the Lord Chief Justice	344	3	-	979	16	6	635	13	6	-	-	1,591	6	6	-	-	-	
Clerks to Mr. Justice Willes	1,926	3	-	2,795	19	6	869	16	6	-	-	1,000	-	-	-	-	-	
Clerks to Mr. Justice Byles	1,384	9	-	2,490	10	6	1,106	1	6	-	-	1,000	-	-	-	-	-	
Clerks to Mr. Justice Keating	1,487	15	6	928	3	6	-	-	559	12	-	1,000	-	-	-	-	-	
Clerks to Mr. Justice Smith	1,212	19	-	1,127	-	6	-	-	85	18	6	1,000	-	-	-	-	-	
Marshals to Judges on Circuit	-	-	-	-	-	-	-	-	-	-	-	900	-	-	-	-	-	
Messengers, Tipstaves, &c.	-	-	-	-	-	-	-	-	-	-	-	1,093	15	2	-	-	-	
	36,185	16	-	35,263	14	-	2,773	-	-	3,695	2	-	22,504	9	4	558	1	9
3. EXCHEQUER:																		
Masters	30,075	11	-	27,181	8	6	-	-	2,894	2	6	12,880	3	8	832	12	11	
Associate	2,322	-	-	2,307	-	-	-	-	15	-	-	1,680	-	-	-	-	-	
Queen's Remembrancer	2,443	2	6	3,395	1	1	951	18	7	-	-	3,727	-	10	-	-	-	
Clerks to Lord Chief Baron	1,580	10	-	1,023	18	-	-	-	556	12	-	1,514	10	3	-	-	-	
Clerks to Mr. Baron Martin	1,082	14	6	1,380	19	-	298	4	6	-	-	1,274	-	-	-	-	-	
Clerks to Mr. Baron Bramwell	4,356	17	-	4,742	14	6	385	17	6	-	-	1,000	-	-	-	-	-	
Clerks to Mr. Baron Channell	1,373	12	-	921	12	-	-	-	452	-	-	1,000	-	-	-	-	-	
Clerks to Mr. Baron Pigott	1,325	5	-	1,283	14	6	-	-	41	10	6	1,000	-	-	-	-	-	
Marshals to Judges on Circuit	-	-	-	-	-	-	-	-	-	-	-	825	-	-	-	-	-	
Messengers, Tipstaves, &c.	-	-	-	-	-	-	-	-	-	-	-	1,195	13	11	-	-	-	
Stationery supplied at Judges' Chambers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	44,559	12	-	42,286	7	7	1,636	-	7	3,959	5	-	26,096	8	8	832	12	11
The Three Courts jointly											355	-	-	-	-	-	-	-
£.	122,446	7	-	114,316	8	1	4,791	4	1	12,921	3	-	73,034	1	3	2,050	14	7
Deduct Increase										4,791	4	1						
Total Decrease										8,129	18	11						

* These compensations are charged on the Consolidated Fund by Acts of 1 Will. 4, c. 58; 1 Vict. c. 30; 3 & 4 Will. 4, c. 99; and 15 & 16 Vict. c. 73.

† Including 2,519*l.* 16*s.* 7*d.*, on account of fees received at Middlesex Registry Office.

ACCOUNT, SUPERIOR COURTS OF COMMON LAW, during the Years ended 31 March 1867 and 1868.

P A Y M E N T S.

31 March 1867.			Year ended 31 March 1868.						Increase.	Decrease.
Travelling Expenses on Circuit.	Expenses at Chambers and in Offices. Stationery, &c.	Total Payments for Salaries, Pensions, Expenses, &c.	Salaries and Pensions.	Rent, Taxes, &c.	Travelling Expenses on Circuit.	Expenses at Chambers and in Office. Stationery, &c.	Total Payments for Salaries, Pensions, Expenses, &c.			
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
- - -	323 16 9	15,914 13 4	15,226 19 10	636 13 10	- - -	614 18 3	16,478 11 11	563 18 7	- - -	
36 - -	36 1 11	1,716 1 11	1,650 - -	- - -	- - -	34 6 7	1,684 6 7	- - -	31 15 4	
70 - -	157 12 6	1,693 12 6	1,500 - -	- - -	52 - -	53 - -	1,605 - -	- - -	88 12 6	
65 - -	74 5 -	1,144 5 -	1,000 - -	- - -	61 - -	100 - -	1,161 - -	16 15 -	- - -	
65 - -	23 2 -	1,088 2 -	1,000 - -	- - -	70 - -	- - -	1,070 - -	- - -	18 2 -	
70 - -	- - -	1,070 - -	1,000 - -	- - -	65 - -	- - -	1,065 - -	- - -	5 - -	
- - -	- - -	1,065 - -	887 7 2	- - -	35 - -	- - -	1,059 9 11	- - -	5 10 1	
- - -	- - -	825 - -	107 2 9	- - -	30 - -	- - -	825 - -	- - -	- - -	
16 10 -	- - -	1,158 16 7	1,148 19 6	- - -	- - -	19 1 -	1,168 - 6	9 3 11	- - -	
322 10 -	614 18 2	25,675 11 4	24,345 9 3	636 13 10	313 - -	821 5 10	26,116 8 11	589 17 6	148 19 11	
*Compensation to holders of abolished offices -		10,786 12 4	- - -	- - -	- - -	- - -	10,674 2 4	- - -	112 10 -	
		36,462 3 8	- - -	- - -	- - -	- - -	36,790 11 3	- - -	261 9 11	
- - -	205 9 10	11,696 11 7	11,733 10 -	527 15 10	- - -	530 - 10	12,791 6 8	1,094 15 1	- - -	
- - -	32 12 -	1,542 19 8	1,520 - -	- - -	- - -	34 17 7	1,554 17 7	11 17 11	- - -	
- - -	47 3 8	1,323 3 8	1,126 - -	- - -	- - -	52 13 5	1,178 13 5	- - -	144 10 3	
- - -	20 17 8	1,220 17 8	1,200 - -	- - -	- - -	12 16 8	1,212 16 8	- - -	8 1 -	
52 - -	30 3 3	1,673 9 9	1,500 - -	- - -	70 - -	83 10 1	1,653 10 1	- - -	19 19 8	
52 - -	59 10 11	1,111 10 11	1,000 - -	- - -	35 - -	55 - -	1,090 - -	- - -	21 10 11	
70 - -	- - -	1,070 - -	1,000 - -	- - -	52 - -	- - -	1,052 - -	- - -	18 - -	
80 - -	- - -	1,080 - -	1,000 - -	- - -	70 - -	- - -	1,070 - -	- - -	10 - -	
60 - -	- - -	1,060 - -	1,000 - -	- - -	65 - -	- - -	1,065 - -	5 - -	- - -	
- - -	- - -	900 - -	900 - -	- - -	- - -	- - -	900 - -	- - -	- - -	
- - -	- - -	1,093 15 2	1,125 - 10	- - -	- - -	59 12 -	1,184 12 10	90 17 8	- - -	
314 - -	395 17 4	23,772 8 5	23,104 10 10	527 15 10	292 - -	828 10 7	24,752 17 3	1,202 10 8	222 1 10	
*Compensation to holders of abolished offices -		3,141 2 -	- - -	- - -	- - -	- - -	3,141 2 -	- - -	- - -	
		26,913 10 5	- - -	- - -	- - -	- - -	27,893 19 3	- - -	- - -	
- - -	161 9 2	13,874 5 9	13,966 13 10	723 13 1	- - -	563 19 6	15,254 6 5	1,380 - 8	- - -	
- - -	8 9 6	1,688 9 6	1,650 - -	- - -	- - -	48 19 7	1,698 19 7	10 10 1	- - -	
- - -	146 - 2	3,873 1 -	3,781 - -	- - -	- - -	70 9 6	3,851 9 6	- - -	21 11 6	
61 - -	91 2 8	1,666 12 11	1,500 - -	- - -	71 - -	50 12 8	1,621 12 8	- - -	45 - 3	
61 - -	93 17 10	1,428 17 10	1,274 - -	- - -	52 - -	85 - -	1,411 - -	- - -	17 17 10	
26 - -	130 - -	1,156 - -	1,000 - -	- - -	26 - -	- - -	1,026 - -	- - -	130 - -	
62 - -	- - -	1,062 - -	1,000 - -	- - -	81 - -	- - -	1,081 - -	19 - -	- - -	
80 - -	- - -	1,080 - -	1,000 - -	- - -	75 - -	- - -	1,075 - -	- - -	5 - -	
- - -	- - -	825 - -	750 - -	- - -	- - -	- - -	750 - -	- - -	75 - -	
- - -	- - -	1,195 13 11	1,327 3 2	- - -	- - -	18 11 6	1,345 14 8	150 - 9	- - -	
- - -	523 16 1	523 16 1	- - -	- - -	- - -	418 15 7	418 15 7	- - -	105 - 6	
290 - -	1,154 15 5	28,373 17 -	27,248 17 -	723 13 1	305 - -	1,256 8 4	29,533 18 5	1,559 11 6	399 10 1	
*Compensation to holders of abolished offices -		3,697 17 4	- - -	- - -	- - -	- - -	3,565 17 3	- - -	132 - 1	
		32,071 14 4	- - -	- - -	- - -	- - -	33,099 15 8	1,559 11 6	531 10 2	
- - -	- - -	355 - -	150 - -	- - -	- - -	136 8 -	286 8 -	- - -	68 12 -	
926 10 -	2,165 10 11	95,802 8 5	74,848 17 1	1,888 2 9	910 - -	3,042 12 9	98,070 14 2	3,351 19 8	1,083 13 11	
Deduct Decrease - - -								1,083 13 11	- - -	
Total Increase - - -								2,268 5 9	- - -	

Total amount of fees received in the year ended 31st March 1867 - - - - - £. s. d.
 Total Payments in the year for salaries, pensions, compensations, &c. - - - - - 122,446 7 -
 Surplus of Receipts over Payments in the year 1866-7, in respect of the Courts of } 26,643 18 7 exclusive of Salaries to the Judges.
 Queen's Bench, Common Pleas, and Exchequer - - - - -

Total amount of fees received in the year ended 31st March 1868 - - - - - 114,316 8 1
 Total payments in the year for salaries, pensions, compensations, &c. - - - - - 98,070 14 2
 Surplus of Receipts over Payments in the year 1867-8, in respect of the Courts of } 16,245 13 11 - ditto - ditto.
 Queen's Bench, Common Pleas, and Exchequer - - - - -

RETURN of RECEIPTS and PAYMENTS in the COURTS of PROBATE and DIVORCE,

COURTS AND DEPARTMENTS.	R E C E I P T S.				Year ended		
	YEAR	YEAR	Increase.	Decrease.	Salaries.	Incidental Expenses.	Stationery.
	ended 31 March	ended 31 March					
	1867.	1868.					
4. COURTS OF PROBATE AND DIVORCE:	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.	£. s. d.
Principal Registry - - - - -	60,413 8 6	59,835 14 3	-	577 14 3	38,819 16 8	6,242 3 1	} ^a 4,416 --
District Registries - - - - -	68,183 1 9	67,494 10 3	-	688 11 6	41,464 13 5	1,058 7 -	
	128,596 10 3	127,330 4 6	-	1,266 5 9	80,284 10 1	7,300 10 1	4,416 --
HIGH COURT OF ADMIRALTY - - -	11,379 5 -	10,758 - -	-	621 5 -	10,250 11 -	^b 2,463 15 8	^a 287 --
Copy and Petty Disburse- ments - - - - - Merchants' Fees - - - Expenses of Marshal's Office £.	1867.	1868.					
	£. s. d.	£. s. d.					
	237 10 7	270 12 3					
	645 15 -	746 11 -					
	1,580 10 1	1,670 8 1					
	£. 2,463 15 8	2,687 11 4					
LAND REGISTRY - - - - -	1,895 17 4	1,386 12 2	-	509 5 2	5,127 14 -	202 8 5	^a 84 --
	£. 141,871 12 7	139,474 16 8	-	2,396 15 11	95,662 15 1	9,966 14 2	4,787 --

^a Average Expenditure.

1 8 6 6 - 6 7.

COURT OF PROBATE - - -	Total Payments during the year ended 31st March 1867 - - - - -	£. s. d. 192,603 5 1	£. s. d.
	Total Fees received - - ditto - - ditto - - - - -	128,596 10 3	
	Expenditure over Receipts in the Year 1866-67 - - - - -	- - -	64,006 14 10
HIGH COURT OF ADMIRALTY -	Total Payments during the year ended 31st March 1867 - - - - -	14,364 13 3	
	Total Fees received - - ditto - - ditto - - - - -	11,379 5 -	
	Expenditure over Receipts in the Year 1866-67 - - - - -	- - -	2,985 8 3
LAND REGISTRY - - -	Total Payments during the year ended 31st March 1867 - - - - -	5,738 16 11	
	Total Fees received - - ditto - - ditto - - - - -	1,895 17 4	
	Expenditure over Receipts in the Year 1866-67 - - - - -	- - -	3,842 19 7
TOTAL EXPENDITURE over RECEIPTS in respect of the COURT OF PROBATE, the HIGH COURT OF ADMIRALTY, and LAND REGISTRY (the Salaries of the Judges of the Courts not being included) - - - - -		£. 70,835 2 8	

HIGH COURT of ADMIRALTY, and LAND REGISTRY, during the Years ended 31 March 1867 and 1868.

P A Y M E N T S.

31 March 1867.						Year ended 31 March 1868.																									
Rent, Repairs, &c.		Com- pensations and Super- annuations.		TOTAL.		Salaries.		Incidental Expenses.		Stationery.		Rent, Repairs, &c.		Com- pensations and Super- annuations.		TOTAL.		Increase.		Decrease.											
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.								
5,347	2	-	95,255	2	11	192,603	5	1	40,352	14	5	6,117	-	6	a 4,416	-	-	14,670	13	1	92,995	18	3	201,326	14	-	8,723	8	11	-	
									41,462	12	6	1,311	15	3																	
5,347	2	-	95,255	2	11	192,603	5	1	81,815	6	11	7,428	15	9	4,416	-	-	14,670	13	1	92,995	18	3	201,326	14	-	8,723	8	11	-	
1,075	8	1	287	18	6	14,364	13	3	10,385	14	6	b 2,687	11	4	c 287	-	-	986	17	2	287	18	6	14,635	1	6	270	8	3	-	
324	14	6	-	-	5,738	16	11	5,194	16	2	302	10	5	d 84	-	-	145	15	5	-	-	5,727	2	-	-	-	-	-	11	14	11
3,747	4	7	95,543	1	5	212,706	15	3	97,395	17	7	10,418	17	6	4,787	-	-	15,803	5	8	93,283	16	9	221,688	17	6	8,993	17	2	-	
Less Decrease																		-	-	-	11		14	11							
																		£.		8,982	2	3	{		Net In-crease.						

1 8 6 7 - 6 8.

		£. s. d.	£. s. d.
COURT OF PROBATE - - -	Total Payments during the year ended 31st March 1868 - - -	201,326 14 -	
	Total Fees received - - ditto - - ditto - - -	127,330 4 6	
	Expenditure over Receipts in the Year 1867-68 - - -	- - -	73,996 9 6
HIGH COURT OF ADMIRALTY -	Total Payments during the year ended 31st March 1868 - - -	14,635 1 6	
	Total Fees received - - ditto - - ditto - - -	10,758 - -	
	Expenditure over Receipts in the Year 1867-68 - - -	- - -	3,877 1 6
LAND REGISTRY - - -	Total Payments during the year ended 31st March 1868 - - -	5,727 2 -	
	Total Fees received - - ditto - - ditto - - -	1,386 12 2	
	Expenditure over Receipts in the Year 1867-68 - - -	- - -	4,340 9 10
TOTAL EXPENDITURE OVER RECEIPTS in respect of the COURT OF PROBATE, the HIGH COURT OF ADMIRALTY, and LAND REGISTRY (the Salaries of the Judges of the Courts not being included - - -		- - -	£. 82,214 - 10

SUPERIOR COURTS OF COMMON LAW, &c.

RETURN of all Fees received in STAMPS and PAYMENTS formerly charged on the FEE FUND ACCOUNT, SUPERIOR COURTS OF COMMON LAW, during the Years ended 31st of March 1867 and 1868; also RETURN of RECEIPTS and PAYMENTS in the COURTS of PROBATE and DIVORCE, HIGH COURT of ADMIRALTY and LAND REGISTRY during the same period.

(Presented pursuant to Acts 29 & 30 Vict. c. 101, s. 1, and 30 & 31 Vict. c. 122, ss. 1, 2, 5.)

*Ordered, by The House of Commons, to be Printed,
24 June 1868.*

ECCLESIASTICAL APPEALS.

RETURN to an Address of the Honourable The House of Commons,
dated 5 July 1865;—for,

“RETURN of all APPEALS in CAUSES of DOCTRINE or DISCIPLINE made to the HIGH COURT of DELEGATES, from its Erection by the 25 Hen. 8, c. 19, A.D. 1533, until its Abolition by the 2 & 3 Will. 4, c. 92, A.D. 1832; specifying,—

1. The Date of the Cause ;
2. The Names and Descriptions of the Parties ;
3. The Court appealed from ;
4. The Nature of the Cause ;
5. The Names and Descriptions of the Delegates or Con-delegates ;
distinguishing whether appointed ‘under the Great Seal or Half Seal ;’
6. The Nature of the Sentence, or whether the Cause was otherwise settled or abandoned ;
7. The Date of the Sentence.”

(*Mr. Hubbard.*)

Ordered, by The House of Commons, to be Printed,
3 April 1868.

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INTRODUCTION.

WITH a view to render the Return more generally useful, I propose, by way of Preliminary. introduction, to offer some remarks on the jurisdiction and practice of the Court of Delegates, in regard more particularly to the Causes comprised in the Return, and to give a brief account of the materials from which the Return has been compiled, and of the form in which it is now presented. This seems to be almost necessary, seeing that the Court has now ceased to exist for between thirty and forty years.

I.—JURISDICTION OF THE COURT.

THE High Court of Delegates, which had probably existed from a very early period as a secular Court of Appeal, first acquired jurisdiction in ecclesiastical matters by the Act 25 Hen. 8, c. 19 (1533), intituled "The Submission of the Clergy and Restraint of Appeals." By s. 3 of that Act the practice of appealing to the Bishop or See of Rome was abolished, and in lieu thereof it was provided (in s. 4), that "for lack of justice at or in any the Courts of the Archbishops of this realm, or in any the King's dominions, it shall be lawful to the parties grieved to appeal to the King's Majesty, in the King's Court of Chancery, and that upon every such appeal a commission shall be directed under the Great Seal, to such persons as shall be named by the King's Highness, his heirs or successors, like as in case of appeal from the Admiral's Court,* to hear and definitively determine such appeals, and the causes concerning the same." It was further provided by s. 6, "That all manner of provocations and appeals hereafter to be had, made, or taken from the jurisdiction of any abbots, priors, or other heads and governors of monasteries, abbeys, priories, and other houses and places exempt, in such cases as they were wont or might afore the making of this Act, by reason of grants or liberties of such places exempt, to have or make immediately any appeal or provocation to the Bishop of Rome, otherwise called Pope, or to the See of Rome, that in all these cases every person and persons, having cause of appeal or provocation, shall and may take and make their appeals and provocations immediately to the King's Majesty of this realm, into the Court of Chancery, in like manner and form as they used afore to do to the See of Rome; (2) which appeals and provocations so made shall be definitively determined by authority of the King's Commission, in such manner and form as in this Act is above-mentioned; (3) so that no archbishop or bishop of this realm shall intermit or meddle with any such appeals, otherwise or in any other manner than they might have done afore the making of this Act; anything in this Act to the contrary thereof notwithstanding."

Origin and extent of the ecclesiastical jurisdiction of the High Court of Delegates.

By this enactment, then, the High Court of Delegates became the Court of Final Appeal from all the ordinary ecclesiastical tribunals in England and Wales, and so continued to be until its powers were transferred to the Judicial Committee of the Privy Council by the Acts of 1832 and 1833 (the 2 & 3 Will. 4, c. 92, and the 3 & 4 Will. 4, c. 41). It had also, until the year 1788, a concurrent jurisdiction with the High Court of Delegates of Ireland † in appeals of all kinds from the Ecclesiastical Courts of that country. The only Ecclesiastical Court not within the appellate jurisdiction of the Delegates seems to

* See Note (1) in the Appendix. Of Appeals from the Admiralty and other Courts to the Delegates.

† See Note (2) in the Appendix. Of the High Court of Delegates in Ireland.

to have been the Court of High Commission, which, during the period of its existence from 1559 to 1640, and from 1686 to 1688, derived its authority, like the High Court of Delegates, from a special Royal Commission, and would, therefore, naturally be co-ordinate with, not subordinate to, it.*

Courts immediately subject to its jurisdiction.

The Ecclesiastical Courts from which an appeal lay *directly* to the Delegates, or more properly to the King in Chancery, whence a Commission of Delegates was issued for the trial of each appeal as it arose, were *first*, the Courts of the several Archbishops in England and in Ireland; and *secondly*, the Peculiar Courts, such as that of the Dean and Chapter of Westminster, and many others in various parts of the country, which were exempt from archiepiscopal jurisdiction. Among these, perhaps, should be included as partaking in some degree of an ecclesiastical character, the Court of the House of Convocation of Oxford University, from the Delegates of which there are on record several appeals to the High Court of Delegates. No instance has been found in the records of any similar appeal from Cambridge, but probably the course of appeal was the same from that University also.

Of the Metropolitan or Archiepiscopal Courts.

Each archbishop, in England at least, and probably in Ireland also, had several distinct Courts, from any one of which an appeal lay to the Delegates. In the province of Canterbury, a large proportion of the appeals were supplied by the Prerogative Court, the jurisdiction of which was original only, not appellate, and was confined to testamentary causes. Most of the remainder came from the Court of Arches; but during the earlier part of the 17th century there were also frequent appeals from the Court of Audience, which seems at that time to have exercised a concurrent jurisdiction with the Court of Arches in appeals of all kinds from the subordinate Courts of the province.† Others are described as appeals from the archbishop in person or his vicar-general, being probably such cases as had come before the Archbishop as Visitor, or had been heard in his domestic court, which was usually held at Lambeth Palace.‡ So, too, of appeals from the Archbishop of York; some came from the Prerogative or Exchequer Court, others from the Archbishop's Consistory Court; others again are described as appeals from the Archbishop in person, or his vicar-general. (See Table I. in the Appendix.)

To complete the view of the judicial system which culminated in the High Court of Delegates, it should be added that each Archbishop exercised jurisdiction over the Diocesan Courts of his province, and in such Peculiar Courts as were exempt from episcopal, but not from metropolitan, control. In like manner each Bishop had jurisdiction in his own Peculiars, and entertained appeals from the Archdeacons of his diocese.‡

Subject-matter of the jurisdiction of the Court.

I. Civil.

The appellate jurisdiction thus exercised was extremely wide and various. It was partly civil, partly criminal.

The civil jurisdiction comprised testamentary and matrimonial causes, and various kinds of ecclesiastical causes more properly so called, such as suits for church rates, tithes, and dilapidations, faculty causes, and pew causes, questions as to the election of churchwardens, causes *duplicis querelæ*, instituted by a clergyman presented to a benefice to compel the bishop to admit him, and other suits in which the right of presentation or title to a benefice was in dispute.§

II. Criminal.

The criminal jurisdiction embraced all "causes of correction," instituted against either a clergyman or a layman for any offence against the ecclesiastical law. Such, for instance, were suits against a clergyman for simony, non-residence, neglect of duty, or irregularity in its performance; against churchwardens for not duly rendering their accounts, or for making alterations in a church without a faculty; or against either clergyman or layman for heresy, non-conformity, immorality, or brawling.||

There

* See *Bird v. Smith*, Moore's Reports, p. 781; *Bishop of Exeter, &c. v. Withers* (Appeal No. 16 of this Return); and *Cowpland v. Senhouse, &c.* (Appeal No. 34.)

† See Note (3) in the Appendix. Of the Courts of Arches and of Audience.

‡ The Archbishop of Canterbury had 57 Peculiars in his Province. *Godolphin's Repertorium Canonicum*, p. 119. For a list of the Courts which 40 years ago exercised peculiar and exempt jurisdiction, see the Return of such Courts ordered by the House of Commons to be printed, April 3, 1828. Paper 232. For a general account of the Ecclesiastical Courts *temp. Car. I.*, see Note (4) in the Appendix.

§ Such causes are classed by Oughton with suits for dilapidations and tithes, under the general head of "Benefice Causes." (*Ordo Judiciorum*, vol. i., p. 237 *et seq.*)

|| See the Report of the Commissioners to inquire into the Jurisdiction and Practice of the Ecclesiastical Courts (1832), pp. 12-13.

There was also one class of causes of a mixed or intermediate character, partly civil and partly criminal, viz., suits for defamation, which have been described as "*causæ criminales civiliter intentatæ*," the charge preferred being of a criminal nature, but the proceedings usually taking the form of a civil suit.* (*Oughton's Ordo Judiciorum*, vol. i., p. 380.)

Of this extensive jurisdiction comparatively little now remains to the present Court of Appeal. The two great classes of testamentary and matrimonial causes have only recently been transferred to the Courts of Probate and Divorce by the Acts 20 & 21 Vict. cc. 77 and 85 (1857.) But even before the passing of those Acts, both the civil and the criminal jurisdiction of the Ecclesiastical Courts generally, and with them of the ultimate Court of Appeal, had in several important particulars been much abridged.

Of civil causes, suits *de jure patronatus*, or concerning the title to some preferment, which had been of frequent occurrence in the 17th century, seem to exist at the present day only in the form of a *duplex querela*.† Suits for tithes of small value (where the title is not in dispute) have been transferred to the civil magistrates by successive enactments, such as the 7 & 8 Will. 3, c. 6, s. 1 (1696); 53 Geo. 3, c. 127, s. 4 (1813); 5 & 6 Will. 4, c. 74, s. 1 (1835); and 4 & 5 Vict. c. 36 (1841); the second of which Acts (53 Geo. 3, c. 127, s. 7) also transferred to the magistrates the adjudication of suits for church rates, where the amount does not exceed 10 l., and the validity of the rate, or the liability of the party charged, is not in question. The same Act abolished in great measure the peculiar character and disabling consequences of the penalties imposed by the Ecclesiastical Courts, by providing that the penalty of excommunication should be discontinued, except in definitive sentences, or in interlocutory decrees "having the force and effect of "definitive sentences," pronounced as spiritual censures for offences of ecclesiastical cognisance, and that the only civil disability attaching to excommunication should be such imprisonment, not exceeding six months, as the Court pronouncing the sentence or decree should direct.

I. Of the civil jurisdiction.

In like manner the criminal jurisdiction, with which the present Return is more properly concerned, has from time to time been greatly restricted. This is owing partly to the disuse of powers, such as the corrective discipline formerly exercised over laymen, which have never been absolutely withdrawn, but the employment of which would be repugnant to the ideas and feelings of the present day; but, in great measure, it is the result of positive enactments, some of which it may be well to specify.

II. Of the criminal jurisdiction.

One part especially of this jurisdiction, although in itself, perhaps, seemingly insignificant, has been the subject of repeated legislation. It will be seen, on reference to the Return, that several of the suits comprised in it were instituted against laymen for not resorting to their parish church, the neglect to do which was one of the offences constituting the crime of recusancy. Without entering into any minute discussion of the law on this subject, it may not be irrelevant to sketch very briefly the course of legislation in regard to it.

Cases of recusancy.

The jurisdiction which had long been exercised by the Ecclesiastical Courts in such cases, was expressly recognised and confirmed by the Act 5 & 6 Edw. 6, c. 1 (1552), by which the second Prayer-book of Edward the Sixth was established. That Act, after reciting that, notwithstanding the very goodly order set forth for Common Prayer and administration of the Sacraments, "a great number of people in divers parts of this realm, following their own sensuality, and living either without knowledge or due fear of God, do wilfully and damnably before Almighty God, abstain and refuse to come to their parish churches and other places where common prayer, administration of the sacraments, and preaching of the word of God, is used upon Sundays and other days ordained to be holy days," proceeded, by s. 2, to enact "for reformation" thereof, that "all and every person and persons inhabiting within this realm, or any other the King's Majesty's dominions, shall diligently and faithfully (having no lawful or reasonable excuse to be absent), endeavour themselves

* See post p. viii.

† The latest instances of an appeal in a benefice cause, other than a cause *duplicis querelæ*, seem to be those of *May v. Blackburne*, Appeal No. 125, and *Savery v. Blackburne*, Appeal No. 126, in the year 1710, where the question was as to the appointment of a vicar choral of Exeter Cathedral; and that of *Trapp v. Finlay*, Appeal No. 130, in the year 1712, where the appointment of a lecturer to a church in the City of London was in dispute.

" themselves to resort to their parish church or chapel accustomed ; (2) or upon " reasonable lett thereof, to some usual place where common prayer and such " service of God shall be used in such time of lett ; (3) upon every Sunday and " other days ordained and used to be kept as holy days ; (4) and then and there " to abide orderly and soberly during the time of common prayer, preachings, or " other service of God there to be used and ministered ; (5) upon pain of punish- " ment by the censures of the Church." It was further enacted in the 4th section that all and singular the archbishops, bishops, and all other their officers exercising ecclesiastical jurisdiction, should have full power and authority to reform, correct, and punish, by censures of the Church, all persons who should offend against the Act within their jurisdictions.

The 5 & 6 Edw. 6, c. 1, was repealed in the following year (1553) by the 1 Mary, sess. 2, c. 2, but it was again partially revived by the Act of Uniformity passed on the accession of Elizabeth, the 1 Eliz. c. 2 (1558), which restored the second Prayer-book of Edward the Sixth, and repealed the Act of Mary so far as concerned that book. Ss. 1-4 of the Act of Edward the Sixth, however, relating to attendance at the parish church, were not expressly revived by this statute, but their provisions were embodied in almost identical terms in ss. 14-16 of the Act of Elizabeth, with the addition of a clause imposing a fine of 12 pence for every such offence, to be levied by the churchwardens.* And a later Act of the same reign, the 23 Eliz. c. 1 (1581), intituled " An Act to retain the Queen's Majesty's " Subjects in their due Obedience," which was specially directed against the Roman Catholics, while by s. 5 it imposed heavier penalties upon nonconformity, recoverable in the Court of King's Bench, expressly preserved, by s. 15, the then existing jurisdiction of the Ecclesiastical Courts. In 1587 the 29 Eliz. c. 6 was passed " for the more speedy and due execution of certain branches " of the last-mentioned Act, and in 1593 it was provided by the 35 Eliz. c. 1, that persons obstinately refusing to come to Church should abjure the realm, or be liable to suffer as felons without benefit of clergy. But neither of these Acts made special mention of the Ecclesiastical jurisdiction.

On the accession of James, the whole of the Act 5 & 6 Edw. 6. seems to have been revived by the 2 Jac. 1, c. 25, s. 48 (1604), which, amongst other Acts, totally repealed the Act of Mary ; and in the next year (1605) the existing Ecclesiastical jurisdiction was again expressly saved by s. 39 of the 3 Jac. 1, c. 4, intituled " An Act for the better discovering and repressing of Popish Recusants." There is no express provision on the subject in the present Act of Uniformity, the 13 & 14 Car. 2, c. 4 (1662), made perpetual by the 5 Anne, c. 5 (1706), further than that the preamble to the Act states that " a great number of people in divers " parts of this realm, following their own sensuality, and living without knowledge " and due fear of God, do wilfully and schismatically abstain and refuse to come " to their parish churches and other public places where Common Prayer, " administration of the Sacraments, and preaching of the word of God, is used " upon the Sundays and other days ordained and appointed to be kept and observed " as Holy-days," following the words of the statute 1 Eliz. c. 2 ; and then s. 24 confirms the " several good laws and statutes " then in force for the uniformity of prayer and administration of the Sacraments, and amongst them apparently the 5 & 6 Edw. 6, c. 1. But however this may be, it is quite certain that long after the passing of the present Act of Uniformity, the Ecclesiastical Courts, as the Delegates' records clearly show, continued to exercise jurisdiction in cases of non-attendance at church.†

In course of time, however, various classes of Nonconformists were excepted by a series of Acts, commencing with the Toleration Act. By this Act, 1 W. & M. c. 18, ss. 4 & 16 (1688), Protestant Dissenters in general were exempted from prosecution in any Ecclesiastical Court for or by reason of their non-conforming to the Church of England, on condition of their taking the oaths and subscribing the declaration enjoined by the Act, and coming to some congregation or assembly
of

* See *Stanfield v. Sterne*, and *Hodshon v. Sterne*, Appeals Nos. 165, 166.

† In the First Report of Her Majesty's Commissioners for revising and consolidating the Criminal Law (1845), p. 35, it is stated on the authority of the then Queen's Advocate General, that " there is " no instance on record of a prosecution for this offence " (recusancy) " in the Spiritual Courts for " the last 150 years." This is evidently a mistake. There were Appeals to the Delegates in two such cases from the Consistory Court of York, in the year 1749. (Nos. 165, 166.)

of religious worship allowed or permitted thereby; and these conditions were subsequently relaxed by the Acts 10 Ann. c. 2, s. 8 (1711); 52 Geo. 3, c. 155, s. 4 (1812), from which, however, Quakers were excepted; 15 & 16 Vict. c. 36 (1852); and 18 & 19 Vict. c. 86 (1855).

Any "papist or popish recusant," or any person who should "deny in his preaching or writing the doctrine of the Blessed Trinity," as declared in the articles of religion, had been expressly precluded, by s. 17 of the Toleration Act, from deriving "any ease, benefit, or advantage" from it; but this exception, as regards any persons denying the doctrine of the Trinity, was expressly repealed by the Act 53 Geo. 3, c. 160, s. 1 (1813). Relief had before this been offered by the Act 31 Geo. 3, c. 32, ss. 3 and 9 (1791), to Roman Catholics attending some congregation or assembly of religious worship thereby permitted, but only on condition of their taking the oath of abjuration required by that Act, for which another form of oath was substituted by the 10 Geo. 4, c. 7, s. 23 (1829). Subsequently, however, by the 7 & 8 Vict. c. 102 (1844), the penal clauses of the Acts 5 & 6 Edw. 6, c. 1, and 1 Eliz., c. 2, and the several subsequent statutes by which they had been confirmed, were, so far as they affected Roman Catholics, abolished. Two years later, by the Act 9 & 10 Vict. c. 59, s. 1 (1846), the clauses in the Act of Elizabeth were absolutely repealed, and the clauses in the Act of Edward VI. requiring all persons to resort to their parish church were repealed so far as they affected "persons dissenting from the worship or doctrines of the United Church of England and Ireland," and "usually attending some place of worship other than the Established Church." It was also provided (in s. 1) that no pecuniary penalty should be imposed on any person by reason of his absenting himself from his parish church. It will be observed, however, that neither of the most recent Acts which have been quoted, the 7 & 8 Vict. c. 102, and 9 & 10 Vict. c. 59, absolutely repealed ss. 1-4 of the 5 & 6 Edw. 6, c. 1, and as a partial and qualified repeal implicitly recognises the continued existence, so far as the repeal does not extend, of the enactments affected by it, it would seem to follow that those sections still exist as part of the statute law. That they were actually regarded as being in force until a comparatively recent date, is clear not only from the occurrence of several appeals to the Delegates in such cases during the earlier part of the 18th century, but from the fact that even so late as 1779, in the case of *Luke v. Whitaker* (Appeal No. 179), where proceedings were instituted against Luke for going out of church in time of service in a disorderly manner, two of the clauses in question are set out at length in the articles, nor does any objection appear to have been taken on the ground that they were no longer in force. The result, then, would seem to be, that the clauses in the Act 5 & 6 Edw. 6, c. 1, requiring all persons to resort to their parish churches, although absolutely repealed as to Roman Catholics, and as to persons who dissent from the Established Church, and usually attend some other place of worship, are still to some extent unrepealed as to all other persons.*

In other cases than those of recusancy or nonconformity the criminal jurisdiction of the Ecclesiastical Courts was practically much restricted by the Act 27 Geo. 3, c. 44, (1787), which reduced the time allowed for commencing proceedings in suits for defamatory words to six months, and in suits for fornication, incontinence, and brawling, to eight months, from the time when the words should have been spoken or the offence committed. More recently the jurisdiction of the Ecclesiastical Courts was abolished in suits for defamation by the Act 18 & 19 Vict. c. 41 (1855), and in suits against laymen for brawling by the 23 & 24 Vict. c. 32 (1860). But as regards causes of correction for fornication and incontinence, subject to the limitation in the 27 Geo. 3, c. 44, the jurisdiction of the Ecclesiastical Courts, although it has long been in abeyance, has never apparently been annulled.†

Other corrective jurisdiction.

It does not seem necessary, in connection with this subject, to refer particularly to the Church Discipline Act, the 3 & 4 Vict. c. 86 (1840), the object of that Act being rather to regulate than to restrict the exercise of ecclesiastical jurisdiction.

II.—CAUSES.

* The Commissioners for revising and consolidating the Criminal Law, in their First Report (1845), p. 35, seem to have recommended that these clauses should be altogether repealed.

† The abolition of this jurisdiction over laymen seems to have been recommended in the Report of the Commissioners to inquire into the jurisdiction and practice of the Ecclesiastical Courts (1832.)

II.—CAUSES INCLUDED IN THE RETURN.

Causes comprised
in the Return.

Of the various classes of causes which came before the Delegates on appeal from the Ecclesiastical Courts, the following Return is confined to two only, forming a very small proportion of the total number of appeals; viz., cases of doctrine and of discipline.

Cases of doctrine.

Cases of *doctrine* are, as a class, plainly distinguishable from others. It is less easy to say what cases should be included in the Return under the head of *discipline*. At first sight, cases of discipline might seem to be confined, as in the Church Discipline Act, to proceedings of a criminal nature against clerks in holy orders, as being, in effect, the only cases of ecclesiastical discipline occurring at the present day. But during the greater part of the 300 years over which the Return extends, the corrective powers of the Ecclesiastical Courts were exercised with almost equal frequency and stringency over clergy and laity alike. To restrict, therefore, cases of discipline to criminal suits against the clergy only, would be to leave out of sight one great branch of the disciplinary jurisdiction formerly exercised by the High Court of Delegates, and would, it is thought, but imperfectly meet the objects of the present inquiry. On these grounds, cases of discipline have been regarded as including the numerous causes of correction in which the office of judge was promoted against laymen for offences of ecclesiastical cognisance, such as recusancy or nonconformity, immorality or brawling. That such causes were strictly cases of discipline would seem to be clear from the terms of the Articles in which the charges were set forth, the proceedings being expressly promoted for the correction of the accused, and the charges being described as *salutem animæ et reformationem morum concernentia*. Further, it is conceived that a collection of such appeals will not be without interest, as illustrating the character and extent of the moral or spiritual jurisdiction which was exercised over the laity little more than 100 years ago.

Cases of discipline.

Suits for defama-
tion.

Some explanation may seem to be required why suits for defamation, which have been already described as mixed, or quasi-criminal cases, have not been included in the Return. Their mixed or intermediate character seems to have consisted in this, that the accusation or complaint was in the nature of a criminal charge, but was, usually at least, preferred in the form of a civil suit, and for the reparation of a private injury. Out of 22 suits for defamation, of which a full account is contained in the records, only *four* were in form as well as in substance criminal prosecutions, the office of judge being promoted and articles brought in against the accused party *pro salute animæ et reformatione morum*. In *one* of the four cases the party charged with defamation was a clergyman (*Jackson v. Hobday*, Appeal No. 54). In each of the three other cases a clergyman was the promoter. In all therefore the defamation would be in the nature of a public offence against the clerical or sacerdotal office. In the 18 remaining cases the plaintiff proceeded as in a civil suit, by libel. There are, however, besides the above, a great number of suits for defamation, the mode of proceeding in which cannot be ascertained from the existing records. But, whatever might be their form, suits for defamation seem to have been substantially causes of correction. The libel in which the charge was set forth usually concluded with a prayer that the accused party might be canonically corrected as having committed a breach of ecclesiastical discipline, and penance in the form of a public retractation was a recognised mode of correction in the event of the charge being proved. The Delegates' records supply an instance of this in the case of *Snell v. Bishop*, which came before the Consistory Court of Norwich in the year 1682, where Snell, the party charged with defamation, having appeared and submitted himself to the correction of the Court, was sentenced to do penance in the parish church of Darsham, on Sunday after divine service, by repeating after the minister, in the presence of the churchwardens, a confession of his contrition for having uttered the defamatory words in question contrary to the rules of charity and good manners. But, although there are one or two such cases which present some points of interest, appeals to the Delegates in suits for defamation were both so numerous and, generally speaking, so trivial and insignificant in their character, that their insertion would probably have added little to the value of the Return, which, even without them, may possibly seem

too long. They have therefore, with one or two exceptions, been altogether omitted. It should, however, be stated that prior to the temporary abolition of the Ecclesiastical Courts in 1641, the commissions of Delegates in defamation cases, so far as they have been traced, seem to have been exclusively composed of civilians or doctors of laws, without either peers or common law judges, or bishops and other ecclesiastical persons.

On the other hand, considering the greater historical importance of the earlier records, fragmentary and obscure as they are, it was thought that, during the earlier periods of the Return, rather more latitude should be taken. With this view, down to the year 1641, insertion has been given to several suits, most of them "benefice causes," which may seem to be not strictly within the title of the Return. Occasionally, also, during the later periods, appeals have been introduced, which, although not technically cases of discipline, seem to have involved many points of ecclesiastical interest.—(See Table II. in the Appendix.)

Other causes inserted.

III.—PROCEDURE.

I will now proceed to give a brief sketch of the ordinary procedure in a cause of correction, both in the "Court of First Instance," in which the suit was originally promoted, and on appeal to the Delegates.* There were many Causes which might be promoted either in the Archdeacon's Court, or in the Consistory Court of the Bishop, or lastly, by Letters of Request from the Bishop, in the Archbishop's Court; but in early times Letters of Request seem to have been seldom used, and it will be seen from the Return that a great number of cases which ultimately came before the Delegates, including almost all causes of correction for not attending church, and several suits against laymen for immorality, had been originally instituted in an Archdeacon's Court, whence they were carried by successive appeals, first to the Diocesan, thence to the Provincial, and lastly to the Imperial tribunal.

Procedure in causes of correction.

First, then, as to the mode of procedure in the Inferior Court, or Court of First Instance. There were three distinct modes†, in which such causes might be instituted; (1) *denunciation*, where the offender was detected or presented by the churchwardens or sidesmen; (2) *accusation*, where any private person came forward as promoter or prosecutor; and (3) *inquisition*, where the Court spontaneously *ex mero motu* proceeded against the offender, in which case it usually appointed some proctor, hence called a "necessary promoter," to conduct the prosecution.‡ The Return contains instances of each mode of proceeding. In all cases the proceedings commenced with the issue of a citation from the judge of the court, calling upon the party accused to appear and answer certain articles, "concerning his soul's health and the reformation of his manners and excesses," and setting forth briefly the nature of the charge. If, after due service of the citation, he failed to appear on the day appointed, he was liable to be pronounced contumacious, and to be excommunicated. Supposing, however, that he appeared and admitted the offence charged, sentence was passed upon him in a very summary manner. If, on the other hand, he denied the charge, the course of proceeding was ordinarily as follows: On the appearance of the accused, articles were brought in on the part of the promoter, setting forth the charges in detail. The admission of these articles might be opposed by the defendant, but in the event of their being admitted, he had to give either an affirmative or a negative issue thereto, either wholly or partly admitting or denying the charges. When issue had thus been joined, the promoter might further call upon the defendant to give his "personal answers," on oath, to the several articles, and although by the Act 13 Car. 2, c. 12, s. 4, it was made unlawful for any ecclesiastical

Proceedings in the Court of First Instance.

* For a more detailed account of the procedure in the Ecclesiastical Courts generally, see the Report of the Commissioners appointed to inquire into the jurisdiction and practice of the Ecclesiastical Courts in England and Wales, and the jurisdiction of the Delegates. Ordered, by the House of Commons, to be printed, 27 Feb. 1832.

† Oughton's *Ordo Judiciorum*, vol. i., p. 215.

‡ In such cases, in the event of an appeal, it was the practice to make the judge a party. (See e.g. Appeal No. 133.)

siastical judge to tender any oath by which any person might be charged or compelled to criminate himself, this prohibition seems in practice to have been systematically disregarded or evaded.*

After the defendant had given in his personal answers, the next step was for the court to assign a "term probatory," that is, a time within which the promoter had to prove the truth of the articles. Witnesses were then produced either before an examiner of the court or before a commissioner specially appointed for the purpose, and were examined on the several articles, and cross-examined on written interrogatories prepared by the defendant, and handed to the examiner. The examination was conducted in private, and the evidence, which was taken down in writing by the examiner, was kept from the knowledge of both parties. When the promoter had tendered for examination all the witnesses on whom he proposed to rely, but without knowing what any one of them had said, he prayed publication of the evidence; but publication might be prevented by the defendant praying an allegation, which he brought in in due course. The promoter's answers on oath were then given in, and the defendant produced his witnesses, who were examined and cross-examined in secret in the same way as the promoter's witnesses had been. When the defendant considered that he had sufficiently proved his case, the promoter might bring in a responsive allegation, and the same formalities were again gone through. At length, both parties having concluded their pleadings, and examined all their witnesses, publication of the evidence passed, and the parties then for the first time became aware of the nature of the evidence given as well by their own as by their opponent's witnesses. Either party might then take exception to the evidence of any of his opponent's witnesses on the ground of character or otherwise; and if this was allowed, an exceptive allegation had to be brought in, and evidence taken thereon exactly as in the principal cause. When all the pleadings and evidence were finally concluded, the cause was "assigned for sentence on the first assignation," as it was called (a merely formal proceeding), and afterwards, "on the second assignation," and "for informations and sentence;" in other words, it was appointed for hearing, either indefinitely (*quandocunque*), or on some particular day, on which, unless it were postponed, the trial actually took place.

Procedure on
appeal to the
Delegates.

Secondly, as to the procedure in the Court of Delegates.

In the event of a party desiring to appeal from the decision of a Metropolitcal or Exempt Peculiar Court, his proctor addressed a petition to the Sovereign in Chancery, upon which a Commission of Appeal, the draft of which was prepared by the appellant's proctor, was issued under the Great Seal, appointing certain Commissioners or Delegates for the trial of the cause.† This Commission contained "a Clause of Quorum," as it was called, directing that *two*, at least, of the Delegates should be present at all the ordinary proceedings, and that *three*, at least, or a larger number, according to the strength of the Commission, should be both present and consenting on passing the final sentence. The proceedings in the Court of Appeal commenced with the presentation of this Commission by the appellant's proctor to some of the Delegates named in it, which took place sometimes within a few days after its issue, but often not until several weeks or even months had elapsed. The usual instruments were then issued, namely, an Inhibition and Citation, inhibiting both the Court below and the adverse party from taking any steps in furtherance of the decree appealed from, and citing the adverse party to appear; and a Monition, monishing the Court below to transmit to the Court of Appeal the original or an authentic copy of all the proceedings in the cause, or, as it was shortly termed, the "Process." After being duly served, these instruments were returned into Court, and when the respondent had appeared, and the proctors had brought in the proxies by which they were authorised

* See Note (5) in the Appendix. Of Personal Answers and Canonical Purgation.

† In Dr. Wynne's Life of Sir Leoline Jenkins, a letter is printed, dated 13th May 1685, and signed by twelve doctors of laws, in which they refer to their "Petition and Reasons for stated Judges in the Court of Delegates," (or according to the table of contents, for "a Standing Commission of Delegates,") and they request Sir L. Jenkins, then Judge of the High Court of Admiralty, in company with the Dean of the Arches, to wait upon His Grace (the Archbishop of Canterbury) to move him to deliver the petition to his Majesty. It does not appear whether anything further was done in the matter. (Vol. ii. p. 695.)

rised to act for their respective parties, the appellants' proctor brought in his "Libel," to which in due course issue was joined on the part of the respondent. The appellant's proctor was then "assigned to prove." If the appeal was from a grievance (a term which will presently be explained) no proofs were admissible beyond the evidence contained in the process. In an appeal from a final sentence it would seem that either party might, under certain circumstances, make fresh allegations, and bring in further proofs. (*Ordo Judiciorum*, vol. i. p. 458.) After the process and the other evidence (if any) had been brought in,* the appeal, as in the Court below, was assigned for sentence on the *first* assignation, and again on the *second* assignation and for informations and sentence, *i. e.*, for the actual hearing. Usually, up to this point, all the proceedings in the Appeal, as was permitted by the terms of the "*Quorum Clause*" in the Commission, took place before two or three only of the *Civilian* members of the court. At the hearing (or "informations") and sentence a larger number attended, but it very frequently happened that some of the Delegates named in the Commission of Appeal from first to last took no part whatever in the proceedings.

Such is a mere outline of the ordinary course of an appeal in a cause of correction. Any more detailed attempt to describe the practice of the Court would obviously be out of place here. It may be well, however, to add that, except by consent of the proctors on each side, the several steps in an appeal could only be taken one at a time on so many successive court days, of which there were only four in each term. It is obvious that such a system of procedure offered to either party great facilities for vexatiously prolonging the proceedings; and the result is apparent on the face of the Return in the great number of appeals, no less than 66, being more than one-third of the whole number, which were discontinued or abandoned, and in the great length of time over which many of them extended.

One or two other points should be noticed in connection with the procedure of the Court. It will be seen that many of the appeals comprised in the Return related to the admission or rejection of allegations tendered on either side, or to some other incidental order or decree of the Court appealed from. Such appeals were technically termed Appeals *from a Grievance*, as distinguished from Appeals *in the Principal Cause*, *i. e.*, from a final or definitive sentence which expressed the judgment of the Court on the principal question at issue. In an appeal from a grievance, if the decree or order was reversed by the superior court it was the practice for that Court to "retain the principal cause" for hearing on the main issue. With the respondent's consent this was occasionally done even where the decision of the court below was affirmed,† but more usually in that case the cause was "remitted" to the Court below, by which it was then resumed. This did not, however, preclude either party from appealing a second time from a subsequent decision of the same Court, so that in one and the same cause there might be, and not unfrequently were, two distinct appeals to the Delegates; first, from some incidental order or grievance, and afterwards from the final sentence.

Appeals of two kinds, from a grievance, and from a final sentence.

Such separate appeals must, however, be distinguished from those cases in which, without any second appeal, a second commission was appointed, under the name of a Commission of *Adjuncts* or a Commission of *Review*. These two kinds of commissions were also quite distinct the one from the other. If some of the Delegates named in the original commission died before judgment was given, or if they were equally divided in opinion, or even, it would seem, when some of the Commissioners had been appointed to other offices than those which they held at the date of the commission of appeal,‡ and probably in some other cases where it was considered desirable to increase the strength of the court, or to infuse new elements into it, either party might, as before, present a petition in

Commissions of adjuncts.

* In later times, after the process had been transmitted from the court below, the parties also brought in for the use of the Delegates copies of their respective "Cases" (as they are called) containing an abstract of the proceedings up to the time of the hearing, together with an appendix of such parts of the evidence as were most material to the issue. Such printed Cases exist from the year 1796; but it does not appear to have been the practice to mention them in the Minutes of the Proceedings.

† In *Chamberlayne v. Hewetson*, Appeal No. 100, *Harris v. Twitney*, Appeal No. 102; *Bingham v. Duke of Portland*, Appeal No. 181. In *Weston v. Hand*, Appeal No. 154, it does not appear from the minutes that the respondent's consent was given.

‡ See *Oughton's Ordo Judiciorum*, vol. i. p. 437 (notes).

Commissions of review.

in Chancery for a Commission of Adjuncts, so called because it included other Delegates added or *adjoined* to those on the original commission. Similarly, if occasion required, a third or even a fourth Commission, of *Adjuncts super Adjuncts*, might be issued to continue the hearing of the appeal. On the other hand, a Commission of Review, as its name imports, was appointed to reconsider or review the sentence pronounced by a former Commission of Delegates. It was granted, not as of right but of favour, and only on a special petition* addressed to the Sovereign *in Council*, and thence referred to the Lord Chancellor, who, after hearing the parties by counsel, reported whether in his opinion the Commission ought to be conceded or not. The Commission of Review was addressed to an entirely new set of Delegates, who reheard the appeal *de novo*, and might reverse or vary or confirm the former decision.

IV.—RECORDS OF THE COURT.

Records from which the Return has been compiled.

THE Records of the High Court of Delegates from which the Return has been compiled are the following:—

(1) and (2).—*Act Books and Assignment Books.*

These contain minutes of all the proceedings from day to day in the Court of Delegates, arranged in order of date. They differ only in this, that the Assignment Books contained a list, prepared beforehand, of the business to be transacted on the next Court-day, to which, when the Court was held, the Registrar added his rough notes or minutes of what was actually done. The Act-Books contain fair copies of the same minutes as finally settled in fuller and more formal terms.

Act books.

The series of *Act Books* is very incomplete. The earliest volume dates from the 15 January 1538-9, to the 11 December 1544, thus commencing within six years from the first erection of the Court; but there is no other Act Book belonging to the 16th century. In 1601 the series recommences, and, excepting a break of about two years, from 1615 to 1617, is continued uninterruptedly until 1650. From November 1650, until the Restoration no Act Book seems to have been kept, but in August 1660 the series was resumed, and continued until December 1695, but several of the Act Books of this latter period are missing, and from February 1684-5, to December 1695, the Acts are unbound. These Act Books, consisting in all of 22 thick folio volumes, are, as might be expected from their age, in a damaged condition. The peculiar Law-Latin, and the crabbed and curiously contracted characters in which the minutes are written, render them by no means easy to decipher. Several of the volumes being found to have no index, it was necessary to make indices for them before commencing the proper work of the Return.

Assignment books.

The *Assignment Books* commence in the year 1650, and continue in an unbroken series, some brief intervals excepted, from that time until the abolition of the court by the Acts of 1832 and 1833. In the first year 1650, the entries in these books are in Latin; but from the 16 April 1651, to the end of July 1660, for a period of nine years, they are in English. Soon after the Restoration, on the 1st August, 1660, Latin was resumed, and continued to be used from that time until the year 1733, from which latter date, being just 200 years after the first establishment of the Court, and 100 years before its abolition, the Records of the Court seem to have been uniformly kept in English. The character of the writing in the earlier volumes generally resembles that of the Act Books, but the minutes being more roughly written, with frequent erasures and interlineations, are even more illegible. The Assignment Books consist of 57 folio volumes, of which the first 24 and one other were without any index. This deficiency had to be supplied.

(3).—*Repertory Books.*

Repertory books.

These contain, in eight folio volumes, an apparently complete list of all Appeals brought before the Delegates from the 26th May 1619, to the 10th July 1789, from

* See note in 4 *Vesey's Reports*, 211. Strictly it was a *petition* for a re-hearing, rather than an *Appeal*, and the petitioning party was not called "*pars appellans*," but "*pars supplicans*."

from which latter date the list seems to have been discontinued. They give the names, and, in almost every case, a brief description of the parties; the names, and generally the titles of the Delegates commissioned to hear the Appeal; and the name of the Court appealed from, the date of the Commission of Appeal, and of its introduction into Court or presentation to the Delegates. They also contain similar entries of some "special" or "original" Commissions, apparently issued for the trial of Causes which were not Appeals from any court. In these books also the entries were in Latin until the year 1733, with the exception of the last nine years preceding the Restoration. The earlier volumes are a good deal damaged, and difficult to decipher.

(4).—*Processes.*

The process has been already described as an official copy, which was transmitted to the High Court of Delegates from the Court below, of all the proceedings in the cause up to the time of the appeal. If the cause had originated in a Court below that from which the appeal was made to the Delegates, the process transmitted to the Delegates included a copy of the process which had in like manner been transmitted to the court appealed from by the Court of *First Instance*, as it was called, *i. e.*, the court in which the cause was originally instituted. Thus, if the cause had been instituted in an Archidiaconal Court, thence appealed to the Diocesan, thence to the Provincial Court, and lastly to the High Court of Delegates, the Delegates' Process would ordinarily contain within it the several processes which had been transmitted by the inferior courts to the courts respectively above them, so as to form a complete record of the proceedings from the first institution of the cause up to the time of the appeal. These processes, containing as they do complete copies of all the pleadings and depositions up to the date of the appeal, form by far the most valuable part of the records. They commence in the year 1609, but from that date to 1650 there are only seven processes extant. During the next 10 years they number more than 50; and from the year 1660, the series appears to be almost, if not quite, complete. It must be observed, however, that many appeals to the Delegates were abandoned before any process was transmitted, and that without the process there are often no means of ascertaining from the records what was the nature of the cause, or whether or not it was one which ought to have been included in the Return. These processes, 1,455 in number, have lately been removed to the Public Record Office in Fetter-lane.* They had shortly before been rebound in 736 folio volumes, and are for the most part in good preservation. The writing also is generally far more legible than that of the other records. As in those records Latin was the language used in all the formal proceedings until the year 1651, from which date until 1660 they are in English, but Latin was resumed at the Restoration and continued in use until 1733, when English was finally adopted. The examination of the processes required in preparing the Return has been greatly facilitated by a very useful catalogue, now out of print, compiled by Dr. Addams.

(5) and (6).—*Sentences and Interlocutory Decrees.*

It was formerly the practice for the proctors in the cause to hand in or "porrect," engrossed on parchment, the sentences which they respectively desired the court to pronounce, and the sentence which, with or without modification, received the approval of the court was signed by the Delegates present, or so many of them as concurred in it. The earliest roll or bundle of sentences dates from the year 1585, and, excepting a break of six years between 1622 and 1628, and again from 1739 to 1760, they seem to be nearly complete; but many of the earlier sentences are so much torn and obliterated as to be quite illegible. From about the middle of the 18th century the practice of porrecting sentences seems to have been gradually discontinued, and "interlocutory decrees, having the force and effect of definitive sentences," were substituted, of which the only official record is a brief and formal minute contained in the Assignment Books. Except during rather more than nine years from 1651 to 1660, the sentences were drawn up

* The other Records described in this Introduction are in this Registry.

in Latin down to the year 1733. There is also a single volume containing stamped copies of all the interlocutory decrees pronounced by the Delegates from the 22nd June 1790 to the 10th July 1824. These seem to have been copied *verbatim* from the entries in the Assignment Books. The subsequent decrees are unbound.

(7).—*Printed Cases.*

Printed cases.

Like those which are now brought in by the appellant and respondent in appeals heard by the Judicial Committee of the Privy Council, these Cases contained an abstract of the proceedings prior to the hearing of the appeal, together with an appendix of such portions of the evidence produced in the Court below as were most material for the information of the Delegates as to the question at issue. They date from the year 1796 to the abolition of the court, and are bound in 10 large folio volumes.

(8).—*Other Documents.*

Other documents.

The above are the records from which mainly the Return has been compiled; but there are also a large number of original commissions of appeal, commencing apparently in 1663; 13 volumes of depositions, dating from 1634 to 1685; 5 volumes of personal answers, from 1677-8 to 1694, and many bundles of instruments and other cause papers. The nature of the commissions of appeal has already been described. Each commission is engrossed on parchment, and contains the names and descriptions of the Delegates commissioned to hear the appeal in which it was issued, the names and descriptions of the parties, and a formal recital of the fact, but not of the grounds, of the appeal. It also contained the usual "*quorum* clause," specifying how many of the Delegates must be present at all the ordinary proceedings, and how many when sentence should be pronounced. These commissions of appeal have not been examined with a view to the Return, as they would have required much previous arrangement, and the information to be gathered from them is contained in a far more accessible form in the Repertory Books. The volumes of *Personal Answers* and *Depositions*, all of which are in English, have been examined, but very little has been found in them bearing upon cases of doctrine or of discipline.

The following statement will shew more concisely the periods respectively covered by the several records:—

(1.) <i>Act Books.</i>						No. of Vols.
15 January 1538-39 to	December 1544	-	-	-	-	1
9 October 1601	„ 28 April - 1615	-	-	-	-	5
7 May - 1617	„ 14 November 1650	-	-	-	-	13
1 August 1660	„ 20 July - 1663	-	-	-	-	1
28 April 1666	„ 4 July - 1672	-	-	-	-	1
13 January 1679-80	„ 6 February 1684-85	-	-	-	-	1
						22

27 February 1684-85 to 23 December 1695 - Unbound.

(2.) <i>Assignment Books.</i>						No. of Vols.
23 January 1649-50 to	14 December 1838	-	-	-	-	57
(3.) <i>Repertory Books.</i>						
26 May 1619 to	10 July 1789	-	-	-	-	8
(4.) <i>Processes.</i> (1455.)						
1609 to	1838	-	-	-	-	736

(5.) *Sentences.*

1585 to 1622 and 1628 to 1739. From	} Engrossed on separate skins of parchment.
1623 to 1628, and from 1739 to 1760,	
the sentences are missing, but there are a few of later date.	

(6.) *Interlocutory Decrees.*

22 June 1790 to 10 July 1824 - - - 1 volume.
The remainder, of a subsequent date - - - Unbound.

(7.) *Printed Cases.*

1796 to 1834 - - - - - 10 volumes.

- (8.) *Commissions of Appeal*, 1663 to 1838 - On parchment.
Depositions of Witnesses, 1634 to 1685 - 13 volumes.
Personal Answers, 1667-68 to 1694 - 5 volumes.
And a number of Instruments and miscellaneous Cause Papers.

THE nature and extent of the information to be gathered from the existing records will be seen more clearly by sub-dividing the whole period comprised in the Return into shorter periods, according to the records available for each.

FIRST PERIOD.—(1533—1601.)

RECORDS.

1. *Act Book* (1 vol.) 1539—1544.
2. *Sentences*, 1585—1601.

OWING to the almost total want of materials, this part of the Return is virtually a blank. It might have been hoped that the one extant Act Book of this period, dating as it does so nearly from the first erection of the court, would have afforded valuable information on the subject of the Return. Unfortunately the entries contained in it are so scanty, and merely formal in their character, that nothing whatever has been found to show that any one of the appeals to which they relate was a case of doctrine or of discipline. There are indeed several causes, the parties to which were ecclesiastical persons, but it cannot be inferred from this that they were causes of correction.

Reference has also been made to Archdeacon Hale's *Precedents in Criminal Cases*;^{*} but none of the cases there collected has been identified with any appeal to the Delegates.

As regards the composition of the court, the Delegates whose names occur in this Act Book, with a single exception† (it is believed), are invariably described either as “*venerabiles viri magistri*,” or simply “*magistri*,” with the occasional addition of “*legum doctores*,” but the same names appear both with and without this addition.

Towards the end of this period (from 1585 to 1600) a few cases have been extracted from the manuscript sentences read or promulged by the Delegates, which are the only extant records of the time. But many of these sentences are wholly or partly illegible, and, even when they can be deciphered throughout, the information to be gathered from them is generally very scanty. The only date that can be given in any case is the date of the sentence. There is nothing to show the exact date of the appeal, nor, except occasionally from some incidental notice in the sentence, the nature of the cause, the ground of the appeal, or the course of the proceedings in the court or courts below. It should also be observed that, as in the later period so no doubt in this, a great many appeals would be abandoned without any sentence being pronounced. In such cases, therefore, there is no information whatever to be obtained from the records.

^{*} The full title of this curious and valuable volume is “A Series of Precedents and Proceedings in Criminal Causes, extending from the year 1475 to 1640, extracted from Act Books of Ecclesiastical Courts in the Diocese of London, illustrative of the Discipline of the Church of England. To which is prefixed an Introductory Essay. By William Hale Hale, M.A., Archdeacon of London. F. & J. Rivington. 1847.”

† One Act, dated 2nd December 1544, is said to have been done, “*coram eximiiis viris Domino Thomâ Moyle Milite, Johanne, Barber et Ricardo Lyell, Delegatis, &c., in longâ Capellâ infra Ecclesiam Cathedralẽ Divi Pauli London.*” Sir Thomas Moyle was then Speaker of the House of Commons. He was present at two other Acts in the same Appeal, and from a note of the Commission at the end of the volume it appears that he was to be “*semper unus*” of those present. The cause seems to have been a Tithes Cause.

SECOND PERIOD.—(1601—1618.)

RECORDS.

1. *Act Books* (6 vols.) $\left\{ \begin{array}{l} 1601—1615. \\ 1617—1618. \end{array} \right.$
2. *Sentences*, 1601—1618.
3. *Processes* (3 only.)

THE Act books of this period contain rather more but still very scanty information as to the nature of the causes to which they relate. The sentences from 1607 to 1612 are almost entirely illegible: during the remainder of the period they do not always show the nature of the cause before the court, and in a great number of appeals no sentence whatever was pronounced. Of the very few processes belonging to this period, one only* relates to a cause which falls within the Return,

THIRD PERIOD.—(1619—1640.)

RECORDS.

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <i>Act Books</i> (9 vols.) 1619—1640. 2. <i>Repertory Books</i>, 1619—1640. 3. <i>Sentences</i> 1619—1622 and 1628—1640. | <ol style="list-style-type: none"> 4. <i>Processes</i> (4 only). 5. <i>Depositions</i> (1 vol.) 1634—1640. 6. <i>Old Book of Precedents</i> (1 vol.) of various dates. |
|---|---|

THE remarks made on the last preceding period apply to this period also. The processes are still extremely few, and the Repertory books, although they state from what court the appeal was brought, and give the names of the Delegates, as well as the names and, generally, the descriptions of the parties, afford little or no information as to the nature of the causes. The sentences from 1622 to 1628 are missing: for 1637 and 1638 they are illegible.

During this and the preceding two periods it is probable that most cases of doctrine and discipline went before the Court of High Commission.† In one such case, *Wild v. Ackson* (A.D. 1638), the return to a commission, issued from the High Commission Court, for the examination of witnesses, has by some accident been bound up in a volume of Delegates' Processes. Ackson, who was Vicar of Painswick, in Gloucestershire, was charged with immorality, neglect of duty, &c.

One case in the Return, *Cowpland v. Senhouse, &c.* (Appeal No. 34), came before the Delegates from the "King's High Commissioners for Ecclesiastical Causes in the diocese of Chester." But this is a solitary instance, and was not an appeal, properly so called, but a case of revision or rehearing, for an appeal could hardly lie from one Royal Commission to another.

In another case, *Withers v. Leech, &c.* (Appeal Nos. 15-16), Withers, a vicar choral

* *Large v. Bunce*, Appeal No. 24.

† See the Calendar of State Papers, Domestic Series, especially the vols. for 1634-5, 5, and 5-6, edited by Mr. Bruce, which contain copies of the Acts of the High Commission Court for those years; also No. 34 of the Surtees' Society's Publications; and The High Commission, Notices of the Court and its Proceedings. By J. S. Burn. London. J. Russell Smith. 1865. See also *Cawdrey's Case*, 3 *Coke's Reports*, p. xv, and other Cases in the Reports of the Common Law Courts.

In Hacket's Life of Lord Keeper Williams, p. 97, it is said that "the Consistories of the Suffragans in the Province of Canterbury became in a manner despicable, because the matters belonging to every diocese were followed before the High Commission. That it might be said to the neglected Prelates at home, *Are ye unworthy to judge the smallest matters?*"

Bartholomew Legatt and Edward Wightman, who were burnt for heresy in 1612, had been tried, the former in the Consistory Court of the Bishop of London, who "chose many reverend bishops, able divines, and learned lawyers to assist him," the latter by the Bishop of Coventry and Lichfield "with the advice and consent of learned divines and other persons learned in the laws assisting him in judgment." In each case the bishop certified the condemnation by a Significavit to the Court of Chancery, whereupon a writ issued *de Heretico comburendo*. It would seem that Wightman was brought before the Court of High Commission also, for in the Royal Mandate to the Lord Chancellor for the issue of the writ, he is described as having "maintained his said most perilous and dangerous opinions," not only before the bishop, but "also before our Commissioners for Causes Ecclesiastical within our Realm of England." (See Howell's State Trials, vol. ii. p. 727, &c.) Neither case came before the High Court of Delegates.

choral of Exeter Cathedral, appealed to the Delegates from a sentence of deprivation originally pronounced by the Bishop of Exeter. The Delegates reversed the sentence and restored him to his office, but he seems to have been again deprived very soon afterwards by a Court of High Commission, and although the case was apparently then pending in the High Court of Delegates before a Commission of Review, he seems to have made no attempt to procure the reversal of the sentence of the High Commission Court.

FOURTH PERIOD—(1641—1660).

RECORDS.

- | | |
|---|--|
| 1. <i>Act Books</i> (3 vols.) 1641—1650. | 4. <i>Sentences</i> 1641—1660. |
| 2. <i>Assignment Books</i> (8 vols.) 1650—1660. | 5. <i>Processes</i> 1650—1660. |
| 3. <i>Repertory Books</i> 1641—1660. | 6. <i>Depositions</i> (4 vols.) 1641—1660. |

For this period the Return is a blank. The Act 16 Car. 1, c. 11, which abolished the High Commission Court, also by s. 4 deprived the ordinary Ecclesiastical Courts of all penal jurisdiction "from and after the 1st day of August 1641," and it was supplemented in the same year by the Act 16 Car. 1, c. 27, intituled, "An Act for disabling all Persons in Holy Orders to exercise any Temporal Jurisdiction or Authority." By these two statutes all ecclesiastical jurisdiction, properly so called, was in fact abolished.

The last Commission during this period, which included any bishops or other ecclesiastical persons, was a Commission of *Adjuncts*, dated 1st January 1641-42, and brought in 17th February 1641-2, in an appeal from the Court of Audience by *Sir Robert Payne, Knt.*, against *Patience Wayte*. This was a matrimonial suit.

From the end of the year 1641 until the Restoration, the appeals to the Court of Delegates, which consisted during that period exclusively of common law judges or other laymen and civilians, came, almost without exception, either from the Prerogative or the Admiralty Court. It appears, however, from the Repertory Book, that between 1650 and 1660 a considerable number of "special" commissions were issued for the trial of particular causes which do not appear to have been appeals from any court. In one of these, dated 31 May 1652, and brought in 2 June 1652, in the case of *Isabella Davenport* against *Efulke Lucy* (and others), the first name on the commission is that of Oliver Cromwell, "Ld. Generall of England." The names of Fleetwood, Lambert, Harrison, and Desborough are of frequent occurrence on such special commissions about this time. As has been already stated, during the last nine or ten years of this period, from 1651 to 1660, all the records of the Delegates seem to have been kept in English, but shortly after the Restoration Latin was resumed.

FIFTH PERIOD—(1660—1789).

RECORDS.

- | | |
|---|---|
| 1. <i>Act Books</i> (3 vols.) { 1660—1663.
1666—1672.
1679-80—1684. | 4. <i>Processes</i> , 1660—1789. |
| 2. <i>Assignment Books</i> (41 vols.) 1660—1789. | 5. <i>Sentences</i> , 1660—1739, &c. |
| 3. <i>Repertory Books</i> , 1660—1789. | 6. <i>Commissions of Appeal</i> , 1663—1789. |
| | 7. <i>Depositions of Witnesses</i> (8 vols.) 1660—1685. |

During this period the Return maybe considered as comparatively complete, except that there may have been cases of doctrine or of discipline in which the appeal to the Delegates was abandoned before any process was transmitted, and in which there is nothing in the other records to show the nature of the cause.

SIXTH PERIOD—(1790—1838).

- | | | |
|---|--|--|
| 1. <i>Assignment Books</i> (8 vols.), 1790—1838. | | 4. <i>Interlocutory Decrees</i> , 1790—1838. |
| 2. <i>Processes</i> , 1790—1838. | | 5. <i>Printed Cases</i> (10 vols.), 1796—1834. |
| 3. <i>Commissions of Appeal, &c.</i> , 1790—1838. | | |

The same observation applies to this period; the information hitherto supplied by the Repertory Books can still, for the most part, be gathered, with rather more trouble, from the Assignment Books.

V.—FORM OF THE RETURN.

Form of the Return. I must now say a few words with regard to the form of the Return. In this some slight alterations have been made, which shall now be specified under the several heads of the Return as originally framed.

(1.)—*The Date of the Cause.*

It seems obvious that by this is meant the date of the *Appeal*, which may be taken to be either the date of the Commission of Appeal, by which the Delegates were appointed, or the day on which the Commission was presented to the Court. Both these dates have been given where it could be done; but in some cases only one date, in others neither, could be ascertained. The dates of the first institution of the cause, and of the decree or decrees appealed from, have also been given in many cases under the head of "Observations." It is believed that these and the other dates given under that head will be found useful for the purpose of reference, in case it should be desired to verify any of the statements contained in the Return.

(2.)—*The Names and Descriptions of the Parties.*

These have generally been given fully. Where the parties are not fully described in the Act Book, or Assignment Book, their descriptions have been supplied, where it could be done, from the processes or other documents.

(3.)—*The Court Appealed from.*

This also has generally been given.

Where an Appeal passed through more than one court, that court from which the Appeal came direct to the Delegates has been placed at the head of the column, and so on down to the Court of First Instance; *e. g.*, where a cause had been originally instituted in the Court of the Archdeacon of Totnes, thence appealed to the Consistory Court of Exeter, thence to the Court of Arches, and thence to the Delegates, the Return is filled up thus:—"Arches on Appeal from the Consistory of Exeter, on Appeal from the Court of the Archdeacon of Totnes."

(4.)—*The Nature of the Cause.*

Under this heading the nature of the cause has been given very briefly, further particulars being reserved for the column of *Observations*. In the earlier periods, however, the nature of the cause cannot always be clearly ascertained.

(5.)—*The Names and Descriptions of the Delegates and Con-delegates.*

Prior to the commencement of the Repertory Books it is only from the sentences that a complete list can be obtained of the Delegates commissioned to hear any Appeal. In those cases therefore in which no sentence was pronounced or preserved, all that can be given are the names (with or without descriptions as the case might be) of the Delegates who are mentioned in the minutes as being at one time or another present during the Appeal. But as it frequently happened that Delegates were named in the Commission of Appeal, who took no part whatever in the proceedings, and are therefore not named in the minutes, the list is in many such cases probably incomplete.

Where the descriptions of the Delegates in any cause are not fully given in the records

records of that cause, but have been gathered from the records of other causes or from other sources, the descriptions so supplied are enclosed in parenthesis, thus ().

The names of those Delegates who were present when the sentence or decree was pronounced, if there was only *one* such sentence or decree, are marked with an asterisk, thus *. If the same commission pronounced *two* sentences or decrees, one on a grievance, the other in the principal cause, a cross † is prefixed to the names of those who passed the first, and an asterisk * to the names of those who passed the second or final sentence or decree. In the names of the Delegates, the spelling of the records in each cause has been followed. This will account for the various ways in which the names of some Delegates are spelt.

The words "and Con-delegates" have been omitted from the heading of this column, for although the term is occasionally used to denote the civilian members of the Commission, it seems more properly to have been simply a relative term, like "colleague," "co-partner," or "co-trustee," and to have been used for those members of the Commission—whether bishops, judges, or doctors of laws—who on any particular occasion were not present in court. The civilians were no less Delegates than the other Commissioners; most of the Commissions prior to 1641 were exclusively composed of them.

The words "and whether appointed under the great seal or the half seal" have also been omitted, for this reason—that the Act 25 Henry 8, c. 19, under which the Court was first established, expressly required, in the 4th Section, that a commission of appeal from an ecclesiastical court should be issued under the *great* seal; and, although the Records do not always state under what seal the Delegates were appointed, no instance has been met with of an appointment described as made under the *half* seal. This being so, it may reasonably be assumed that in all these cases the commission of appeal was issued in the manner prescribed by the Act. The Act 8 Eliz. c. 5—which is entitled an Act "for the avoiding of tedious suits in civil and marine causes," and provides that in all such causes the decision of the Delegates shall be final and definitive—says that the appointment of the Delegates shall be "by commission under the half seal, as it hath heretofore been used in such causes;" but notwithstanding this no instance has been found of the use in such causes of any other seal than the great seal. It has been suggested to me that the term "half seal" denotes a particular way of using the great seal, as in writs for the election of Members of the House of Commons, in sealing which, I am informed, only a portion of the seal is impressed upon the wax appended to the writ. The seals attached to the Delegates' commissions are, however, too much broken and defaced to admit of its being ascertained how the seal was used.

6.—*The Nature of the Sentence, or whether the Cause was otherwise settled or abandoned.*

Under this head the nature of the sentence has been briefly stated, any further particulars being reserved for the column of Observations.

The large number of appeals which seem to have been abandoned or discontinued was no doubt owing to the peculiar facilities for protracting the litigation which the nature of the procedure offered.

7.—*The Date of the Sentence.*

In any case which was settled or agreed between the parties, the date of the settlement has also been given in this column, whenever it could be ascertained.

8.—*Observations.*

This column did not form one of the prescribed heads of the Return, and the insertion of it may possibly appear to be rather supererogatory. But, in making the necessary examination of the Records for the purpose of filling up the other columns, a great deal of matter presented itself, which, although not strictly perhaps within the scope of the Return, seemed worthy to be preserved, either for its intrinsic interest, or at least as serving to illustrate the proceedings in a court the published records of which are very few. And as the information so obtained could not be included in the Return as originally framed, without unduly encumbering its columns, it was thought desirable to add a separate column containing, so far as might be, a brief, although necessarily very imperfect, sketch

of the proceedings in each cause from its institution in the Court of First Instance to its final adjudication or settlement. Generally speaking, the processes and other records of the Court have supplied what seemed to be required for this purpose, but some further particulars have occasionally been gathered from the published ecclesiastical law reports in such cases as are reported in them. Reference has also been made to the common law reports in some appeals, in which, as not unfrequently happened, the accused party moved for a prohibition to restrain the Ecclesiastical Court from exercising jurisdiction.

I should add that, for more convenient reference, the several Commissions of Appeal and of Review* have been numbered throughout consecutively, and that both an alphabetical list and a classified index are appended to the Return.

* The Commissions of Adjuncts, being merely for the purpose of adding other Delegates to the Court in a pending Appeal, have not been separately numbered.

VI.—SUMMARY OF RESULTS.

It may be well now to state briefly some of the results of the Return.

The total number of causes comprised in the Return is 177; but in 7 of these causes there were *second* appeals after the first appeal had been decided by the Delegates, and the cause had been remitted to the Court below, making in all 184 appeals. In 17 of these appeals, the Court as originally constituted was reformed or strengthened by a commission of adjuncts, and in 6 of the 17 by a *further* Commission, of "Adjuncts super Adjuncts." Again, in 7 causes after sentence had been given by the Delegates, a Commission of Review was granted for the rehearing of the appeal. There was also one Commission of Review (No. 34) for the rehearing of a case which had been previously heard, not by the Court of Delegates, but by a Court of High Commission; and one other case in which a special or original Commission was issued by the Crown as visitor of the Chapel Royal, Windsor (No. 93), and not by way of appeal or revision from any Court.

Briefly, then, the numbers stand thus:

Causes of Appeal	-	-	-	-	-	-	-	-	177
Second Appeals in above Causes	-	-	-	-	-	-	-	-	7
TOTAL Number of Commissions of Appeal									184
Commissions of Adjuncts	-	-	-	-	-	-	-	-	17
Ditto of Adjuncts super Adjuncts	-	-	-	-	-	-	-	-	6
Commissions of Review from Delegates	-	-	-	-	-	-	-	-	7
Ditto - - - from High Commission Court	-	-	-	-	-	-	-	-	1
Special or original Commission	-	-	-	-	-	-	-	-	1
TOTAL Number of Commissions									216

In the Appendix will be found four Tables, showing—

- I. The various Courts appealed from, and the number of Appeals from each.
- II. The number of each description of Causes appealed, whether for correction of Clerks or of Laymen, or Suits against Churchwardens, or other Causes.
- III. The Composition of the Court under *all* the Commissions comprised in the Return.
- IV. The Composition of the Court under those Commissions *only* which were issued in Causes for the Correction of Clerks.

It will be seen that in the last three Tables the whole period covered by the Return has been subdivided into *six* periods ending respectively with the decease of Elizabeth; the abolition in 1641 of the Ecclesiastical jurisdiction; the Revolution of 1688; the accession of the House of Hanover; the middle of the 18th century; and the abolition of the Court of Delegates. These subdivisions, which do not correspond with those in the Return itself, have been adopted in these Tables, because they seem, speaking generally, to mark successive stages in the gradual change which, at least from the time of the Commonwealth, the composition of the Court underwent, until at length the spiritual or ecclesiastical element, except so far as it might be represented by the civilians, was altogether eliminated.

In

In regard to the composition of the Court some points should be noticed.

The single Commission which during the first period comprised any others than bishops or other ecclesiastics and civilians, was issued in a cause of *duplex querela* (Appeal No. 1.)

In the second period the *two* cases in which the Court was composed exclusively of bishops seem to have been Benefice Causes (Nos. 30 and 33). During the same period there are *four* instances in which Common Law Judges appear in a Commission, *twice* with civilians only, *twice* with the addition of bishops. The earliest of these four Commissions was issued in 1610-11, for the trial of an appeal by a Vicar Choral from a sentence of deprivation (No. 15). It was composed of judges and civilians only; but the Commission of Review in the same case (No. 16) contained both bishops and civilians, without, it would seem, any Common Law Judges. The other case in which judges are found alone with civilians, was a cause of correction for "perturbation of seat" (No. 36-37). Here the original commission was composed of civilians only; the judges were added in the Commission of Review. Of the two cases prior to 1640 in which the Court comprised judges with bishops and civilians, one would seem to have been a Benefice Cause (No. 32); the other was a suit for deprivation of a clerk in holy orders who had been convicted of manslaughter (No. 23). In the latter case the Commission of Appeal was addressed to civilians only; the bishops and judges were added by a Commission of Adjuncts.

No Commission in the Return was composed of bishops and civilians only, after 1678 (No. 68), with the exception of a Special Commission appointed by the Crown as visitor in 1689 (No. 93). None was composed of civilians only after 1703 (No. 115); none of bishops, judges, and civilians after 1731 (No. 148); and no Commission contained any bishops after 1750, in which year the two most recent appeals in causes of correction for recusancy or not attending church (Nos. 165-6), came before the Delegates.

Before the Revolution there were only *two* cases in which any peer was on a Commission, in the years 1586 and 1682 (Nos. 1 and 78). Thenceforward until the accession of George I. there were only *three* more, but from 1714 to 1749 peers were frequently included, and generally with an equal number of bishops. From 1749 onwards there is no instance in the Return of any Delegates' Appeal, properly so called, in which either peers or bishops were in Commission.* The case of *Bowerbank v. Bishop of Jamaica* (No. 193) in 1838, is altogether exceptional, and perhaps ought not to have been included in this Return. It should be observed, however, that these statements are confined to the cases contained in the Return; in other cases, not of doctrine or of discipline, bishops were occasionally on Commissions of Appeal until 1781,† and even so late as 1798 the then Bishop of London was named as one of the Delegates on a Commission of Review, and was present as such on the 20th November 1799, when the Court pronounced its decree.‡

Without attempting any minute analysis of the Return, it may be well to observe how the Court of Delegates was composed in the very few cases, apparently not more than *seven*, which can be shown to have even remotely involved any question of *doctrine*.

The first case of the kind, *Woodward v. Atwood and others* (No. 48), was a cause

* On an Appeal in 1754 from the Prerogative Court a petition was preferred to the Lord Chancellor on the part of the principal Respondent, for a "full" Commission of Delegates (*i. e.* including Lords Spiritual and Temporal), and a cross-petition praying that the Commission might issue to Common Law Judges and Civilians only. Lord Chancellor Hardwicke is reported to have said:—"It is in the discretion of this Court whether they will grant a Commission of Delegates to Judges of the Common Law and Civilians, or to them and the Lords Spiritual and Temporal. I have granted a full Commission where the jurisdiction of Bishops is in controversy, or any question is depending that concerns the Canon and Ecclesiastical Law. The principal intention in granting a full Commission is, where legal and ecclesiastical matters come in question, and in order to balance the objection to one law more than to the other; and to obviate this, the Judges in both were appointed. The present matter is upon the point of a Will, and altogether a question of law, and therefore I shall dismiss the petition of the party appellate, and according to the prayer of the cross-petition, direct a Commission of Delegates to Judges and Civilians only."

3 *Atk.* 798. But the rule so laid down seems not to have been adhered to by subsequent Chancellors.

† *Harford v. Morris*, a Matrimonial Appeal.

‡ *Matthews v. Warner*, a Testamentary Suit.

cause of correction against a clerk in holy orders for blasphemous speeches against the orthodox faith. The Commission of Appeal issued in 1663; it comprised four bishops, four common law judges and six civilians, and in 1666 there were added, by a Commission of Adjuncts, one bishop, one judge, and one Master in Chancery. Sentence was pronounced by one bishop, two judges, and five civilians.

The second case, *Hart v. Carey* (No. 58), was rather one of non-conformity to ceremonial than of doctrine. Hart was charged with immorality and disaffection to the Church of England, and the latter charge seems to have been supported or explained by the fact that in another suit in the Consistory Court of Peterborough he had been suspended for not conforming to the rites of the Church of England, *e.g.*, by not baptizing with the sign of the Cross. The Commission of Appeal, issued in February 1668-9, comprised four bishops, four common law judges, and three civilians. The proceedings were discontinued.

In the next case, *Salter v. Davies* (No. 97), which came before the Delegates in 1691-2, Davies was charged, amongst other offences not doctrinal, with preaching in favour of Popery. The Commission of Appeal was addressed to three bishops, three common law judges, and five civilians. The proceedings were discontinued.

In the fourth case, *Jones v. Pusey and Shury* (No. 118), where Jones had been presented, amongst other things, for speaking against the Book of Common Prayer, the Commission of Appeal, issued in 1704, was composed of bishops, judges, and civilians in exactly the same numbers and proportions as in that of *Salter v. Davies*. Sentence was pronounced by two of the bishops, the three common law judges, and four of the civilians.

The fifth case, *Pelling v. Bettesworth*, or *Pelling v. Whiston* (No. 132), is the famous prosecution of Whiston for heresy. Here the Commission of Appeal, issued in 1713, was addressed to five bishops, three common law judges, and five doctors of laws or civilians; and in 1715 three more bishops and two more judges were added by a Commission of Adjuncts. The proceedings were ultimately discontinued, but a decree was pronounced on the grievance by all the members of the original Commission, except one of the bishops.

The next case, *Peirson v. Gell* (No. 171), only very indirectly, if at all, can be said to have involved any question of doctrine. It was a suit instituted in 1759 against the churchwardens of St. Margaret's, Westminster, for having set up painted glass in the great eastern window of the parish church, representing, as was alleged, "superstitious pictures or images." The Commission was addressed to three judges and five civilians. The case was discontinued, but a decree was pronounced on the grievance by one judge and three civilians.

The seventh and most recent case (No. 173) is that of *Havard v. Evanson*, who was charged with having written a pamphlet impugning the Creeds and Articles of religion. The Commission, which was issued in 1775, comprised three common law judges and five civilians, but not any bishops. An incidental decree was pronounced by one of the judges and four civilians, after which the appeal was abandoned.

It would appear, then, that out of seven appeals which more or less involved questions of doctrine, there was not in the five earlier cases, ranging from 1663 to 1715, any material variation in the composition of the Court, which seems to have consisted, in almost equal proportions, of bishops and common law judges, in addition to doctors of laws or civilians. In the two latest cases, however, one of which was directly and wholly, the other only indirectly, if at all, a case of doctrine, the Court was composed exclusively of common law judges and civilians, bishops and other ecclesiastics being altogether omitted.

It will be observed that all these doctrinal cases were subsequent to the Restoration. No such appeal of an earlier date has been discovered. Probably, until the abolition of the High Commission Court in 1641, advantage was taken of the far more summary procedure of that Court for the trial of charges of heresy. But considering the scanty materials from which the earlier periods of the Return have been compiled, the fact that no instance has been found of an appeal to the Delegates in a doctrinal case prior to the year 1660, can hardly be taken as a sufficient proof that no such cases came before the Court.

CONCLUSION.

In conclusion I should state that, when the Records first came into my custody, rather more than fourteen years since, they were in the utmost confusion and were fast going to decay. Soon afterwards I caused the most valuable portion of them, namely, the Processes, consisting of 736 volumes, many of which were in a very dilapidated condition, to be bound, in order to preserve them from further injury. And in the course of preparing this Return, the rest of the documents have been brought into some sort of order. But much yet remains to be done; and considering that these documents are almost the only extant records of the Supreme Court of Appeal in Admiralty as well as in Ecclesiastical Causes, it may be a question whether it might not be worth while that they should be completely re-arranged, and rendered available for reference; but this would necessarily be attended with some expense. It should be observed, however, that at present the records of the sixteenth century are almost entirely wanting, and that even in later times there are occasional blanks for several years together. Every effort has been made to find the missing documents, but without success; and should any person who may read this Introduction be able to give information on the subject, he is requested to communicate with the writer.

I would add that the Return as it stands represents very inadequately the labour involved in its preparation, which may be said to have been often in an inverse ratio to the result obtained. The difficulty of deciphering MSS., which are many of them more than two centuries old, and some in a very mutilated condition, is of itself no slight one. Here it has been increased by the peculiarity of the Law Latin in which the records of the Court were for the most part kept during the first 200 years of its existence, and which is frequently rendered yet more obscure by the crabbed character of the writing, and by constant abbreviations.

It is right that I should state that in the preparation of the work I have received very great assistance from Mr. Henry Goldsmith, a gentleman who was recommended to me by the Deputy Keeper of the Records, to assist in deciphering the older documents. And above all am I indebted to Mr. John George Smith, barrister-at-law, who is now in this office, and to whom any credit that the work may deserve is chiefly due. Without his able assistance and unwearied attention, the Return would never have been issued in so complete a form as it is.

Appeal Registry, Doctors Commons,
28th March 1868.

H. C. Rothery.
H. M.'s Registrar.

APPENDIX to the INTRODUCTION.

NOTE (1.)—OF APPEALS FROM THE ADMIRALTY AND OTHER COURTS TO THE DELEGATES.

How long the High Court of Delegates had existed as the court of appeal from the Admiral's Court does not appear, but there can be little doubt that it dates from a very early period.

The Admiral's Court, or, in other words, the Court of the Lord High Admiral, now called the High Court of Admiralty of England, long exercised both an original and an appellate jurisdiction. In its appellate character, it entertained appeals from all the Vice Admiralty Courts, which formerly existed in the maritime counties of England, and from those more recently established in the Colonies, as well as from the Admiralty Courts in Ireland. That it was a court of appeal from the Admiralty Courts in Ireland appears both from the records of the High Court of Admiralty, and from the opinion of Sir Leoline Jenkins, in a very interesting case given in his life by Dr. Wynne, vol. ii., p. 787. But in the year 1782, the Act 6 Geo. 1, c. 5 (1719), which had declared the dependent and subordinate position of Ireland, and its judicial tribunals, was repealed by the 22 Geo. 3, c. 53, and in the following year an Act of the Irish Legislature was passed (the 23 & 24 Geo. 3, c. 14) for regulating the High Court of Admiralty of Ireland, whereby it was provided that all appeals from that court should lie to the Court of Delegates in Ireland.

On the other hand, the Court of the Cinque Ports, not being a Vice Admiralty Court, seems to have been exempt from the Lord High Admiral's jurisdiction; but whether an appeal lay to the King (*i. e.*, to the High Court of Delegates), or to the Lord Warden of the Cinque Ports, was at one time questioned. The question was, in the year 1675, referred by King Charles II. to Sir Leoline Jenkins, Judge of the High Court of Admiralty, and Sir Robert Wiseman, who had been temporarily appointed to that office during Sir Leoline's absence on embassy to Nimeguen; and both those judges seem to have been of opinion that a judgment of the Court of the Cinque Ports could only be reviewed by the Lord Warden or by Delegates appointed by him. See their joint opinion in Dr. Wynne's *Life of Sir Leoline Jenkins*, vol. ii, p. 782. The case subsequently came before the Court of King's Bench, but no decision was come to, the cause having been agreed. Vide *Stock v. Cullen*, Jones' Reports, p. 66. At the same time the existing Delegates' Records contain some instances, about six in all, of appeals brought directly from the Cinque Ports to the Delegates, the earliest in the year 1629, the latest in 1829. Other courts also there were that appear to have been exempt from the Lord High Admiral's jurisdiction, but from which there was no doubt an appeal direct to the Court of Delegates. Some of these courts are mentioned in s. 24 of the 1 & 2 Geo. 4, c. 75.

It may be added that the High Court of Delegates appears to have been also the court of appeal from the Earl Marshal's Military Court, or Court of Chivalry, which, like the maritime courts, was governed by the principles and procedure of the civil law. Of appeals from this court, which has long ago fallen into desuetude, there are in the extant records of the Delegates seven instances only, of various dates from 1625 to 1739. The commissions appointing the Delegates, as in Admiralty and Ecclesiastical causes, seem to have been issued under the Great Seal on appeal to the King in Chancery.

NOTE (2.)—OF THE HIGH COURT OF DELEGATES IN IRELAND.

THE Irish "Act of Appeals," the 28 Hen. 8, c. 6 (1537), which, like the corresponding Act for England, abolished the practice of appealing to the "Bishop of Rome," gave instead thereof the right of appeal either to the King in his Court of Chancery in England, or to his "lieutenant, deputy, justice, or other governour" in the Court of Chancery in Ireland. In the former case, the "Commission or Delegacy" was to be granted "to some discreet and well learned persons of the land of Ireland, or else in the realm of England." In the latter case, they were to be of Ireland only. They were to have "like power and authority in all manner of things as Commissioners assigned in appeales made to the King's Highness in the realm of England," but the Chancellor of Ireland could grant such a Commission only "by the assent of the Chief Justices of the King's Bench and Common Place, the Master of the Rolls, and the Under-thesaurer for the time being, or any two of them, so as the said Under-thesaurer be one." During the continuance of this Act, the appeals to the Delegates in England from the Courts of the Archbishops of Armagh and Dublin were very numerous: one is described as brought from the old Province of *Tuam*, but none as from *Cashel*; occasionally also appeals* appear to have been brought for revision or rehearing from the Delegates in Ireland to the Delegates in this

* *E. g. Mason & Mason v. Secome*, in 1698; and *White v. Hill*, a testamentary cause, in 1729.

this country: several others are described in the Repertory Book simply as from "Ireland," without any Court being specified.

In the year 1788, the Act 28 Hen. 8, c. 6, was repealed by the (Irish) Act 28 Geo. 3, c. 32, which provided that all appeals from the Archbishop's Courts in Ireland should be to the King in his Court of Chancery in that kingdom; in other words, to the Court of Delegates in Ireland. The jurisdiction of this Court was unaffected by the Acts which transferred the powers of the High Court of Delegates in England to the Judicial Committee of the Privy Council, and it still exists as the Supreme Court of Appeal in Ecclesiastical Causes for Ireland.

NOTE (3.)—OF THE COURTS OF ARCHES AND OF AUDIENCE.

THE Court of Arches, as is well known, was at first merely the Court of Appeal from the Archbishop of Canterbury's Thirteen Peculiars in the City of London, and derived its name from Bow Church (Ecclesia B. Mariæ de Arcubus), in which, as the chief of those Peculiars, the Court was held; but in consequence of the Dean of the Arches acting also as the Archbishop's official principal, and holding his Court as such, in the same place as the Court of Arches, the latter came to be regarded as the Court of Appeal from the whole Province. [See *Burn's Eccl. Law*, *sub voce* "Arches."]

The Court of Audience seems to have been originally held by the Archbishop of Canterbury in his own palace, for such matters as he thought fit to reserve for his own cognizance. Sir Edward Coke, in his Institutes (Part IV., p. 337), describes it as follows:

"This Court is kept by the Archbishop in his own palace and medleth not with any matter of contentious jurisdiction, but dealeth with matters *pro formâ*, as confirmations of bishops' elections, consecrations, and the like, and with matters of a voluntary jurisdiction, as the granting of the guardianship of the spiritualities *sede vacante* of bishops, admission and institution to benefices, dispensing with banns of matrimony, and such like."

But this description is scarcely borne out by what may be gathered of the Court of Audience from other sources. It seems rather to correspond with Oughton's account of the duties of the Archbishop's Chancellor, or Vicar General, whose office was, he says, formerly held in conjunction with that of the "auditor" of the Court of Audience.—(*Oughton's Ordo Judiciorum*, Prolegomena, p. xv.)

Of the latter court, Oughton says that the Archbishop, being formerly in the habit of determining matters *extra tribunal* in his own palace, committed them, before passing sentence, for examination and hearing, to certain doctors of the civil and canon laws, hence called "Auditors;" that these auditors used to accompany the archbishop *ubicunque migravit*, whence the Court of Audience was called the Archbishop's Familiar or Domestic Court, but that after a time they had the power not only of hearing but of determining causes, and used to sit as judges in the Consistory Place in St. Paul's Cathedral. Oughton does not state when this removal of the court took place, but probably it was prior to the date of any of the appeals comprised in the following Return.

That the court possessed a contentious jurisdiction even before Coke's time seems clear from the course of appeal prescribed in 1532, by the "Act for the Restraint of Appeals" (24 Hen. 8, c. 12, s. 7), which expressly provided that in testamentary, matrimonial, and tithes causes, an appeal might be made from an archdeacon of the archbishop, or his commissary, to the Court of Arches or Audience. So, too, the preamble of the Act 23 Hen. 8, c. 9, s. 1 (1531), speaks of "great number of the King's subjects" being cited out of the diocese where they dwelt "to appear in the Arches, Audience, and other High Courts of the Archbishops of this realm, . . . to answer . . . suits of defamation, withholding of tithes, and such other like causes and matters." Oughton also describes the two courts as sister or twin courts, and says that the Auditor of the Court of Audience had formerly, *in omnibus et per omnia*, similar jurisdiction with the Dean of the Arches (*Ordo Judiciorum*, vol. I., p. 17), and that both courts were frequented by the same advocates and proctors, and had the same laws and customs. So far as they extend, the Records of the Delegates quite agree with this account of the jurisdiction of the Court of Audience, for they show that from the year 1619 to 1641 the appeals from that court to the Delegates, though less numerous than those from the Court of Arches, were as many as 180, among which were many testamentary and, apparently, some matrimonial causes. See also Note (4).

With the other Ecclesiastical Courts, the Court of Audience was abolished in 1641, and does not appear to have been revived, by name at least, or as a separate court, after the Restoration. Oughton, who acted as Deputy Registrar of the High Court of Delegates from the year 1702 to 1721, says: "Hæc itaque Curia Audientiæ Cantuariensis omnino jamdudum exolevit; nisi quatenus ipse (nonnunquam) Archiepiscopus in Arduis [utpote deponendis episcopis aut similibus] Audientiam suam celebrat, in propriâ personâ, et proprio in palatio, cum auditore speciali, sive auditoribus, ad hoc specialiter constitutis, pro istâ vice, secum assidentibus" (*Ordo Judiciorum*, vol. I., Prolegomena, p. xvi.) In this passage Oughton seems to identify the Court of Audience with that which the archbishop occasionally held in his own palace after the removal of the Court of Audience to the Consistory Place of St. Paul's. The generalized "utpote deponendis episcopis"

evidently refers to the case of Dr. Watson, Bishop of St. David's, who, after trial before the Archbishop of Canterbury, with five bishops as assessors, was deposed for simony in 1699,* and those of the other Welsh bishops who were tried shortly afterwards on a similar charge. For the trial of Bishop Watson the archbishop sat generally at Lambeth Palace, but also in a variety of other places, such as his chamber at Whitehall, a room in the house at Westminster, called "Le Cockpitt," and the Hall of the College of Advocates at Doctors' Commons.

NOTE (4).—OF THE ECCLESIASTICAL COURTS IN 1636-7.

THE following account of "the Government of the Church of England" has been copied verbatim from a MS. in the Public Record Office, dated 24th March 1636-7, and apparently draughted by Sir John Lambe, then Dean of the Arches, whose name occurs very frequently in the Commissions of Delegates of the reign of Charles I.† It does not appear for what purpose it was drawn up, but as an authentic and contemporaneous account, which in all probability has never before been printed, of the Ecclesiastical Courts of that time, it seems to deserve a place here. From the very brief statement which it contains as to the Court of Delegates, it would appear that the civilians were then regarded as the essential and invariable element of the court, bishops and common law judges being only occasionally added, but on what occasions is not stated. Among the courts of the Archbishop of Canterbury no mention is made of the Court of Peculiars.

The Government of the Church of England.

The King is the supreme governor, from whome the execution of all Ecclesiasticall jurisdiction is derived unto

Archbishops of	-	-	{	Canterbury who hath	Suffragans within his
				Province, Each of them hath his dioces.	
				Yorke who hath 3 Suffragans, who also have each his dioces.	

2. Bishoppes of the said several dioces.
3. The High Commission.
4. The Delegates.

The Archbishop of Canterbury hath 6 Judges or Officers for Causes under him.

1. The Official of the Arches Court.
2. The Judge of the Audience.
3. The Judge of the Prerogative.
4. The Vicar Generall.
5. The Commissary of the Faculties.
6. The Commissary of Canterbury.

Offic. de Arch.

The Official principall (so called) of the Arches, heareth and determineth all Causes of Appeales made to him from any of the Bishoppes that are Suffragans to the Archbishop of Canterbury: for any nullitie, injustice, delay or deniall of justice, as also made from any of their Chauncellors or Commissaries, or from their Archdeacons or the Officials of them, and from their severall Deanes and Chapters of their Cathedrall Churches that have any ecclesiasticall jurisdiction *etiam omisso medio*: ‡

The said Court of the Arches did heretofore heare and determine any originall suits, called out of any of his suffragans territories; but now by a Statute of 23^o H. 8. none shal be cited to appeare out of the dioces where they dwell, which is the cause that few are called originally into the Court of Arches, unlesse at the request of the Ordinary, but only out of London dioces, who being called to Bow Church that is situate in the dioces of London, are not said to be called out of their dioces where they dwell.

Judex Audien.

The Judge of the Audience Court doth in all things as the Arches; except in appeales made from the Deane of the Arches (*sic*) to the said Official, which is specially reserved to the Official to heare and determine.§

Comissar. Prerogat.

The Judge or Commissary of the Prerogative, proveth the Willes of the deceased, graunteth Administrations of their goods that die intestate, if they have *bona notabilia* in diverse dioces, and graunts administrations, heareth their accounts, and disposeth of the remainder according to the Law.

Vic. Genall.

The Vicar Generall or Chauncellor to the Archbishop confirmeth the election of Bishoppes, instituteth to Benefices, visiteth the Province in the metropolitall visitation, but in all the premisses by the Archbishop's special commaund, fiat, or comission first had.

The

* See Appeals Nos. 104-5.

† The MS. is endorsed "Eccell. Courts, the English draught, 24 mt^h. 1636. Sr John Lambe." It is summarised in the most recently published volume, edited by John Bruce, Esq., v. F. S. A., of the Calendar of State Papers, Domestic Series, of the reign of Charles I., 1636-7, p. 521.

‡ Meaning, no doubt, without any intermediate Appeal to the Bishop of the Diocese. Many instances will be found in the Return.

§ This seems to refer to a time when the Office of Dean of the Arches, as Judge of certain Peculiar Courts, was distinct from that of the Archbishop's Official Principal, and an Appeal lay to the latter from the former.

The said Vicar Generall taketh care of the jurisdiction of vacant Bishopricks, and graunteth all such Licenses as may passe by Archiepiscopall authoritie.

The Comissary of the Faculties graunteth such dispensations and faculties (by speciall Comissar. ad direction from the Archbishop) as formerly the Pope used to do, to which the Archbishop Facultates. is specially authorised by the statute of 25° H. 8, and by the same power graunteth all other licenses and faculties which the Archbishop formerly might do.

The Comissary of Canterbury is the Archbishop's Officer in his owne dioces, and Comiss. Cant. of his owne Consistory at Canterbury, and there doth as the Comissary of other Bishoppes in their dioces so far as he is authorised by his Comission or Patent from the Archbishop.

Of the Bishoppes and their Officers.

The Bishoppes have each of them a Vicar Generall or Chauncellor for their several Of B^{ps}. dioces, and where the dioces is large they have also one or more Comissaries in several partes of their said dioces, who have jurisdiction according to their Comissions. These Comissaries are called in the Law *Officiales foranei*. The Bishoppes have also one or more Archdeacons under them according to the largeness of their dioces.

The Bishoppes (besides the power of ordeining Preists and Deacons, which are matters of episcopall order) have jurisdiction over their whole dioces and all inhabitants therein.

The Bishop's Chauncellor or Vicar Generall is in matter of jurisdiction *eadem persona cum episcopo suo, idem consistorium, idem tribunal, ab eo ad episcopum non appellatur, sed ad superiorem, viz., ad Archiepiscopum in Curia sua de Arcubus aut Audientie prædicta*. But The B^s Chauncellor. from the Archdeacon or his Officiall, the partie grieved may appeale to the Bishop or his said Chauncellor or to the Archbishop *ut supra* at his choice.

This Chauncellor or Vicar Generall hath jurisdiction in such thinges that belong to the Bishop *eo ipso* that he is Chauncellor, without Patent or Comission, except in such things as by the law do require a speciall mandate, for he hath *nominationem ab episcopo potestatem a jure*.

The Comissary to the Bishop hath onely such power and in such thinges as are granted to him by the Bishop, for he hath only *comissam potestatem*. The B^s Comissary.

The Archdeacon is called *Oculus Episcopi* and hath some jurisdiction of himself, as to visite his Archdeaconry and there to receive presentments (but he must referre them to the Bishop to be corrected); he may induct those whome the Bishop hath instituted to any rectory, vicaredge, &c.; he may *corrigere in levioribus*: he may see to the repaire of Churches. And if he used for time long enough to raise a prescription, all these belong to him *de jure* and he may do such other things as he used and prescribed to do. The Archdeacon.

The Archdeacon may have an Officer called his Officiall who may do all that the Archdeacon can do. The Archd^s Officiall.

In any Cathedrall Church or Episcopal Sea there is a deane and chapter. The Bishop is the head of the deane and chapter, and the deane the head of the chapter. These are the counsaile of the Bishop and ought to be assistant to him uppon all lawful occasions. They are to confirme his graunts, leases, offices, &c. The most deanes and chapters have also jurisdiction such as the Bishoppes have graunted to them or so long suffered them to use as that they can prescribe for it. Dean and Chapter.

Note that in all these offices derived from and under the Bishop, the Bishop cannot so graunt his jurisdiction to his Chauncellor Comissary Archdeacon Deane and Chapter &c., or so abdicate it from himself, but that he also may use the same, not by prohibiting them (unlesse by way of appeale where it lieth to him) but by doing also with them or without them.

Both Archbishoppes Bishoppes Archdeacons and Deanes and Chapters that have jurisdiction may and by custome ought to have and appoint under his or their several officers a Register, that is a publique Notary, to be *actorum scriba, custos registerii, scriptorum, exhibitorum, munimentorum, &c.* The Reg^r.

The High Comission Court.

This is a Court erected by the Statute of 1° Eliz. and hath onely such authority as is graunted to the Comissions thereof by the King's Comission or Letters Patents: and was erected for the better repressing of heresies schismes, and errors in Religion: for punishing of great and enormous crimes obstinacies and offences, to assist the ordinaries, where they cannot sufficiently correct or (by the ordinary way of the Law) rule their refractory and exorbitant offenders and offences. They cannot determine nor do not meddle with matters of right and title betweene partie and partie, as of tythes, legacies, validity of willes, mariages, or matrimoniall contractes, or the like. But as their now comission is, almost all kinde of ecclesiasticall offences, misdemeanours and abuses: laying violent hands on Clerkes, or scandalizing them in their function, sacriledge, clandestine mariages, or misdemeanours in procuring the same, punishment of Papists, Puritans, Sectaries, Anabaptistes or other breakers or disobeiers of the discipline of the Church: husbands that use cruelty to their wives or deny them alimonie, wives that elaigne themselves from their husbands, incests, adulteries; and the like and generally all or most of the crimes or offences that any Ordinary may and must especially if it be heinous, or the offender fugitive or hard to be ruled, or that the Ordinary require the assistance of the Court. The High Comission.

The Archbishoppes, Bishoppes and other Ordinaries do proceed by Citation and if the partie be not found, then by an edict or proclamation comonly called *vis et modis*, and if he appeare not, they suspend or excommunicate him that is contumax therein.

But the High Comission proceed by letters missive in the way of summons; and by Attachment to apprehend the bodie of the offender. Or if he cannot be catcht, then by intimation or publication against him uppon a fine or penaltie if he appeare not at the day appointed. And so *de die in diem*, encreasing the fine with new intimation till he do appeare.

When the partie doth appeare, Articles are giving conteneing the offences to which the partie is to answere uppon his oath. If he denye the prosecutor must bring in his prooffe, and the other side his defence, and so to finall hearing and sentence.

The Archbishoppes Bishoppes and other ecclesiasticall ordinaries proceed by suspension excommunication and the other censures of the Church. But the High Comission may use those and also fine and imprisonment and bond to performe the order of the Court.

When the parties delinquent are apprehended they enter bond for appearance and if they forfeit it, or other their bond the High Commissioners do returne the same as forfeited into the King's Majesties Exchequer.

At the end of each second terme the High Comission have a day of mittigation where the fines and censures imposed may be moderated lessened and dischargd, as the submission or reformation of the partie shall appeare. But if they be mitigated and certified into the King's Exchequer they are no further delt with by the Comissioners.

The Delegates Court.

The Delegates.

This Court is erected by the Statute of 25 H. 8, to hear and determine all such Appeals as formerly were wont to be made to Rome. The Appeal is made to (the) King in his Chauncery, thereuppon the Lord Keeper appointeth 4, 5 or 6, of the Doctors of Lawe and sometimes some Bishoppes and some judges of the Comon Lawe who by the King's Comission are to heare and determine the said cause of appeale. Their proceeding is by citation *viis et modis* &c. and their censures as in other the Ecclesiasticall Courts by suspension excommunication &c.

NOTE (5).—OF PERSONAL ANSWERS AND CANONICAL PURGATION.

THE Act 13 Car. 2, c. 12, in restoring the jurisdiction of the ordinary Ecclesiasticall Courts, which had been abolished during the Commonwealth, excepted the High Commission Court, and further, by sect. 4, declared that "it shall not be lawful for any Arch-bishop, Bishop, Vicar-General, Chancellor, Commissary, or any other spiritual or ecclesiasticall judge, officer, or minister, or any other person having or exercising spiritual or ecclesiasticall jurisdiction, to tender or administer unto any person whatsoever the oath usually called the Oath *ex-Officio*, or any other oath whereby such person to whom the same is tendered or administered may be charged or compelled to confess, or accuse, or to purge him or herself of any criminal matter or thing whereby he or she may be liable to any censure or punishment; any thing in this statute, or any other law, custom, or usage heretofore to the contrary hereof in any wise notwithstanding."

The letter of this enactment seems to have been so far observed that a clergyman accused of any offence for which he would be liable to deprivation or deposition, and any person accused of simony, usury, or incest, was not bound to answer on oath as to the truth of the charge (*Oughton's Ordo Judiciorum*, vol. I., p. 226); but in the Articles administered to the defendant in a cause of correction, it was the practice to charge not only the commission of the offence, whatever it might be, but also the public "fame," or report of its commission; and to this latter charge it seems that the defendant was bound to answer on oath, and if he failed to do so was treated as having admitted its truth. (*Ordo Judiciorum*, vol. I., p. 219.) In either case, whether he confessed the "fame," or whether its existence were proved against him, even though the offence itself were not, the burden of proving his innocence seems to have been thrown upon him, and he might be required to make "canonical purgation,"—i. e., to declare on oath that he was not guilty of the offence,—and to produce a certain number of witnesses as "compurgators," to swear that they believed his declaration to be true (*Ordo Judiciorum*, vol. I., pp. 221, 223, 226, 230, 232, and see Appeals Nos. 57 and 66). And if he failed in his purgation, he was to be denounced as convicted, and a public penance was to be imposed upon him (*Ordo Judiciorum*, vol. I., p. 223). Moreover, it would appear that a public "fame" or report that a man had committed some scandalous offence, was of itself, and without any charge of its actual commission, a sufficient ground for which he might be presented for correction (*Ordo Judiciorum*, vol. I., p. 228, and Appeals Nos. 71, 72, and 114). Oughton adds, that it had been always practised and adjudged that purgation might be enjoined upon the accused, on the mere presentment of the churchwardens and sidesmen, without any witnesses being produced, and although he denied both the crime and the fame (*Ordo Judiciorum*, vol. I., p. 230). On the other hand, if the promoter in a cause of correction proved neither the crime nor the fame, he was liable to be sued for defamation (*Ordo Judiciorum*, vol. I., p. 235).

The practice of requiring any person convicted of felony in a Temporal Court to make purgation in an Ecclesiasticall Court, notwithstanding that on his conviction he had been allowed "benefit of clergy," was abolished by the Act 18 Eliz. c. 7, s. 2, and the discontinuance of the practice seems to have been enforced by prohibitions from the Temporal Courts. (See *Williams v. Serle*, Appeal No. 23.)

TABLE I., showing the Number of APPEALS from each COURT.

	No. of Appeals.	TOTAL.
I.—In the PROVINCE of CANTERBURY.		
Court appealed from :		
Arches :		
Number of Causes appealed - - - - - 106	112	
Second Appeals in six of the Causes - - - - - 6		
Audience - - - - -	7	
Court of Archbishop of Canterbury (so described) :		
Number of Causes appealed - - - - - 5	6	
Second Appeal in one Cause - - - - - 1		
Court of Vicar General - - - - -	2	
Court of Dean and Chapter of Canterbury during vacancy of See -	2	129
II.—In the PROVINCE of YORK.		
Court appealed from :		
Consistory Court - - - - -	22	
Chancery Court - - - - -	1	
Court of Archbishop of York - - - - -	3	
Dean and Chapter of York during vacancy of See - - - - -	1	27
III.—In IRELAND.		
Court appealed from :		
Court of Archbishop of Armagh - - - - -	2	
----- Dublin - - - - -	5	
Consistory of Dublin - - - - -	4	
Dean and Chapter of Dublin - - - - -	1	
Prerogative Court, Ireland - - - - -	1	13
IV.—PECULIARS.		
Court appealed from :		
Court of Dean and Chapter of Westminster - - - - -	1	
----- Great Canford and Poole - - - - -	1	2
V.—Court of Bishop of Jamaica - - - - -	-	1
VI.—Uncertain - - - - -	-	12
TOTAL - - -	-	184

Note.—The above Table includes 177 Causes which were appealed, and second Appeals in 7 of those Causes.

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TABLE II., showing the Nature of the CAUSES comprised in the RETURN.

PERIOD.	Causes of Correction against Clerks.	Causes of Correction against Laymen.	Suits against Churchwardens.	Benefice and other Causes.	TOTALS.
1586-1603 - -	7	3	-	3	13
1603-1640 - -	12	8	-	9	29
1660-1688 - -	21	19	-	2	42
1689-1714 - -	21	11	1*	4	37
1714-1750 - -	13	17	1	2	33
1751-1838 - -	14	8	2	1	25
1586-1838 - -	88	66	4	21	179

* This suit was instituted against both rector and churchwardens, but not being a cause of correction, is not included in the first column. (See Appeal No. 128.)

Note.—This Table includes 177 Causes of Appeal, one Cause of revision from a High Commission Court (No. 34), and one original proceeding by the Crown as visitor (No. 93).

TABLE III., showing the COMPOSITION of the COURT of DELEGATES in all the Commissions comprised in the RETURN.

PERIOD.	Of Bishops only.	Of Civilians only.	Of Bishops and Civilians.	Of Peers and Civilians.	Of Bishops, Judges, and Civilians.	Of Peers, Bishops, Judges, and Civilians.	Of Judges and Civilians.	Of Peers, Judges, and Civilians.	TOTALS.
1586-1603 -	-	10	2	1	-	-	-	-	13
1604-1640 -	2	23	4	-	2	-	2	-	33
1660-1688 -	-	11	2	-	18	1	19	-	51
1689-1714 -	-	1	1	-	26	3	13	-	44
1714-1750 -	-	-	-	-	8	20	19	-	47
1751-1838 -	-	-	-	-	-	-	27	1	28
1586-1838 -	2	45	9	1	54	24	80	1	216

Note.—In this and in the following Table the numbers in the several columns denote the number of Commissions of all kinds, whether Commissions of Appeal, of Adjuncts, or of Review, in each period, which were composed as described at the head of the column. For the number of Commissions of each kind, see p. xx. of the Introduction.

TABLE IV.—Showing the COMPOSITION of the COURT of DELEGATES in all the COMMISSIONS comprised in the RETURN which were issued in CAUSES of CORRECTION of CLERKS.

PERIOD.	Of Civilians only.	Of Bishops and Civilians.	Of Bishops, Judges, and Civilians.	Of Peers, Bishops, Judges, and Civilians.	Of Judges and Civilians.	Of Peers, Judges, and Civilians.	TOTAL.	
1586-1603 -	6 ^a	1 ^a	- -	- -	- -	- -	7	1586-1603. ^a As to <i>three</i> of the Commissions in this period to civilians only, and the <i>single</i> Commission to bishops and civilians, it is not clear that the causes in which they were issued were Causes of Correction. (See Return Nos. 2, 3, 6, 12.)
1604-1640 -	10 ^b	2	1 ^c	- -	1 ^d	- -	14	1604-1640. ^b So also as to <i>two</i> of the Commissions to civilians during this period. (See Return Nos. 42, 45.) ^c A Commission of Adjuncts (No. 23). ^d No. 15.
1660-1688 -	4	2	14 ^e	- -	7	- -	27	1660-1688. ^e <i>Three</i> of these 14 Commissions were issued in Cases of Doctrine, viz. :— <i>Two</i> in <i>Woodward v. Atwood</i> , &c. (No. 48.) <i>One</i> in <i>Hart v. Carey</i> (No. 58).
1689-1714 -	-	1 ^f	19 ^g	2	4	- -	26	1689-1714. ^f A special Commission (No. 93). ^g <i>Three</i> of these 19 Commissions were in Cases of Doctrine, viz. :— <i>One</i> in <i>Salter v. Davies</i> (No. 97). <i>One</i> in <i>Jones v. Pusey and Shury</i> (No. 118). <i>One</i> in <i>Pelling v. Bettesworth</i> (No. 132).
1714-1750 -	-	-	6 ^h	6	6	- -	18	1714-1750. ^h <i>One</i> of these 6 Commissions was a Commission of Adjuncts in <i>Pelling v. Bettesworth</i> (No. 132).
1751-1838 -	-	-	- -	- -	16 ⁱ	1 ^k	17	1751-1838. ⁱ <i>Two</i> of these 16 Commissions were in Cases of Doctrine, viz. :— <i>One</i> in <i>Peirson v. Gell</i> (No. 171). <i>One</i> in <i>Havard v. Evanson</i> (No. 173). ^k In <i>Bowerbank v. Bishop of Jamaica</i> (No. 193), but this was not strictly a Delegates' Appeal.
1586-1838 -	20	6	40	8	34	1	109	

Note.—The number of Causes of Correction of Clerks was only 88 (See Table II.), but in these Causes there were issued 21 Commissions of Adjuncts or of Review, making 109 Commissions in all.

N O T E.

In the following Return those Delegates who actually adjudicated on any Appeal are distinguished from the other Delegates on the same Commission, as follows:—

Where only one Sentence or Decree of any kind was pronounced by the Commission, an asterisk (*) is prefixed to the Names of those Delegates who signed the Sentence, or were present when the Decree was pronounced.

Where one and the same Commission pronounced two Sentences or Decrees, the first on some Grievance or incidental issue, the second a Final Sentence or Decree, a cross (†) is prefixed to the Names of those Delegates who adjudicated on the Grievance, and an asterisk (*) to the Names of those who signed the Final Sentence or pronounced the Final Decree.

Where a Commission of Adjuncts was issued, the names of the Adjuncts are printed in *Italics*.

Where any Delegate is not fully described in the records of the Cause, and his description has been supplied from some other source, the description so supplied is enclosed in parenthesis ().

For an account of the Records from which each Part or Period of the Return has been compiled, see the observations in Part IV. of the Introduction.

RETURN of all APPEALS in CAUSES of DOCTRINE or DISCIPLINE made to the HIGH COURT of DELEGATES, from its Erection by the 25th Hen. 8, cap. 19, A.D. 1533, until its Abolition by the 2nd and 3rd Will. 4, cap. 92, A.D., 1832; specifying,—1. The Date of the Cause; 2. The Names and Descriptions of the Parties; 3. The Court Appealed from; 4. The Nature of the Cause; 5. The Names and Descriptions of the Delegates or Condelegates, distinguishing whether Appointed "under the Great Seal or Half Seal"; 6. The Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned; 7. The Date of the Sentence.

FIRST PERIOD—1533—1601.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
1	-	- The Rev. Father in Christ, Edmund, late Lord Bishop of Peterborough, and now Bishop of Norwich, <i>Appellant</i> ; against Thomas Gest, Clerk, <i>Respondent</i> (William Horneby intervening for his interest).	-	Duplex querela	Sir William Cecil, Knight, Lord Burleigh, Lord High Treasurer of England, Sir Walter Mildmay, Knight, Chancellor of the Exchequer, and Requests, Bartholomew Clerke, LL.D., Dean of the Arches. *Valentine Dale - } Doctors *John Hammond - } of *William Goldingham - } Laws. *John Dey - }	- Decree of Court below reversed, but without costs.	23 Nov. 1586	- It would seem that the Bishop of Peterborough had refused (but on what ground does not appear) to institute Gest to the Rectory of Seiton in that Diocese, that the suit was originally promoted by Gest to compel the Bishop to institute him, and that the Court appealed from gave sentence against the Bishop. Horneby, the intervening party, is described as Rector of Seiton, 23rd November 1586.—The Delegates pronounced for the Appeal, reversed the decree of the Court below, and dismissed the Bishop from further proceedings, but made no order as to costs. This case has been inserted in the Return as possibly involving some question of doctrine or discipline as the ground of the refusal to institute Gest.
2	-	- Roger Gaunson, Gunson or Gunston, Clerk, Rector of either moiety of the Rectory and Parish Church of Denver, in the Diocese of Norwich, <i>Appellant</i> ; against The Rev. Father in Christ, Edmund, Bishop of Norwich, Henry Bradie, John Sharpe, and John Matthew, <i>Respondents</i> .	-	- Correction of Clerk (?)	(John) Archbishop of Canterbury (John) Bishop of London. Richard Wood, S. T. P. William Aubrey *Lawrence Hussey - } Doctors *Thomas Binge - } of *Nicholas Styward - } Laws. Richard Cosen	- Decree of Court below reversed, with costs.	28 Jan. 1586-7	- The nature of this cause is not stated; but probably it was a cause of correction promoted against Gaunson. It would appear that Gaunson had appealed from the Judge of First Instance (the Bishop of Norwich?), but that the Court of Second Instance (Arches or Audience?) had refused to entertain his Appeal, and had remitted the cause to the Court below, which then passed some final sentence against Gaunson, from which he appealed again; and that on the Appeal being brought before the Delegates, they had suspended Gaunson <i>pendente lite</i> and sequestered the profits of his rectory. By their final sentence the Delegates pronounced for the Appeal, declared that the Judge of the Court of Second Instance had done wrong in refusing audience of the cause, and in remitting the same without taking any cognisance thereof. They also reversed the sentence passed in the Court of First Instance, relaxed the sequestration and suspension which they (the Delegates) had decreed, and condemned the Bishop of Norwich in costs.
3	-	- Robert Eaton, Clerk of the Diocese of Chester, <i>Appellant</i> ; against Robert Leache, LL.D., and Henry Pennante, <i>Respondents</i> .	-	- Correction of Clerk (?)	Valentine Dale, LL.D., Master of Petitions and Requests. *Henry Jones - } *Thomas Binge - } Doctors *Thomas Martin - } of *Lawrence Hussey - } Laws. *John Dey - } Gilbert Borne	- Decrees of Courts below reversed, but without costs.	6 Nov. 1587	- The nature of the cause is not stated; but it may have been a Cause of Correction promoted against Eaton, who appealed from some adverse sentence of the Court or Courts below. The Delegates pronounced for the Appeal, reversed the decrees appealed from, and dismissed and absolved Eaton, but made no order as to costs.

- - Tobias Mathewe, S.I.P., Dean, and the Chapter of the Cathedral Church of Durham, <i>Appellants</i>; Thomas Burton, LL.D., <i>Respondent</i>.	- - See observations in last column.	John, Archbishop of Canterbury John, Bishop of London. Thomas, Bishop of Winchester. William, Bishop of Lincoln. John, Bishop of Salisbury. Requests. *Valentine Dale, LL.D., Master of Bartliolomew Clerke, LL.D. (Dean of Arches). *William Aubrey *William Drury *Thomas Marten *Thomas Binge Lawrence Hussey John Hammond *Julius Cesar William Lewin Richard Cozen Edward Stanhop John Dey Richard Swale	- - Sentence of Court below reversed, with costs.	4 Dec. 1588
- - Tobias Mathewe, Dean, and the Chapter of the Cathedral Church of Durham, <i>Appellants</i>; The Most Rev. Father in Christ, Edwin, Archbishop of York, and afterwards against the Most Rev. Father in Christ, John, Archbishop of York, <i>Respondent</i>.	- - See observations in last column.	*Thomas Byng *Thomas Legge *Richard Swale	- - Appeal pronounced against, with costs.	3 Dec. 1590 -
- - Robert Clerke, Clerk, Vicar of Sprotton, in the County of Northampton, and Diocese of Peterborough, <i>Appellant</i>; Lawrence Manleye, of the same County and Diocese, <i>Respondent</i>.	- - Correction of Clerk (?).	*Robert Forthe Thomas Byng *Thomas Legge *Richard Swale Thomas Martyn	- - Decrees of Courts below reversed.	16 Feb. 1593-4
- - Anne Yeard, widow, of the Diocese of Bath and Wells, <i>Appellant</i>, William Rouswell, of the same Diocese, <i>Respondent</i>.	- - Correction for Immorality.	*John Lloyd *Richard Swale Thomas Legge *Thomas Ridley *Henry Hickman	- - Appellant dismissed on making "canonical purgation."	8 May 1596

FIRST PERIOD—1533—1601—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
8	-	- - Robert Erle, Clerk, Rector of the Parish Church of Litton, in the Diocese of Bath and Wells, <i>Appellant</i> ; John Huishe, of the same Parish, <i>Respondent</i> .	- - Arches (or Audience ?) on Appeal from Consistory Court of Bishop of Bath and Wells.	- - Correction of Parishioner for defaming and assailing Rector.	*Richard Swale *Thomas Legge *Thomas Ridley *Henry Hickman	- - Decree of Court below reversed, with costs.	5 Nov. 1596	- - The nature of the decree appealed from is not stated, but the Delegates pronounced for the Appeal, reversed the decree of the Court below, declared that Erle was a Clerk and Rector of the Parish, within the knowledge of Huishe, yet that Huishe had maliciously defamed and had laid violent hands upon and ill-treated him contrary to the laws of the realm; that he had thereby incurred the penalty of the greater excommunication, and as such should be publicly denounced in the Parish Church. He was also condemned in costs in all the Courts.
9	-	- - Richard Price, esq., <i>Appellant</i> ; Louis Blaney, esq., <i>Respondent</i> .	- - - - -	- - Correction of Parishioner for erecting Seat in Chancel.	*Richard Swale *Lawrence Hussey *John Lloyd *Thomas Ridley	- - Sentence in favour of Appellant, with costs.	7 July 1601	- - This seems to have been a Cause of Correction promoted by Price against Blaney for "his temerity and excess in erecting a seat or stall (<i>sedem vel sedile</i>) in the choir or chancel" of the Parish Church of Tregonen, in the Diocese of St. Asaph. It would seem to have been objected by Blaney that Price had no right or interest in virtue of which he could promote the suit. The Delegates, by their final sentence, declared that Price was, in right of his wife, proprietor of the Rectory of the Parish Church, and as such had a right and interest in the matter for the denunciation of Blaney. They further declared that Blaney was a mere layman, and had no right or interest for the erection of any seat, or for the disposal of anything in the choir or chancel; yet he had rashly, and to the prejudice of the parishioners and inhabitants of the Parish of Tregonen when approaching and streaming together (<i>accidentium et confluentium</i>) to receive the Holy Eucharist, newly constructed and erected a certain seat or stall in the choir or chancel, and had so committed excess. They therefore decreed him to be monished to remove the said seat or stall; but as it appeared from the evidence that Blaney and his predecessors had been accustomed for a very long time to sit and kneel upon a certain "block or sell" by the south wall of the choir at the time of Divine Service, they pronounced for his use and possession of the said block or sell for that purpose, as he and his predecessors had been accustomed to use it before the seat or stall was built. They also condemned Blaney in costs.

O B S E R V A T I O N S.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
10	The earliest Minute of the Appeal is dated 9th October 1601, but the Commission of Appeal had been brought in previously.	-- John Astill, Clerk, Rector of Meysey Hampton, in the Diocese of Gloucester, <i>Appellant</i> ; against Walter Bickles, Clerk, of the same Diocese, <i>Respondent</i> .	-- Audience (on appeal from the Consistory of Gloucester?).	-- Deprivation of Clerk for Simony.	*Thomas Creak *John Lloyd *John Hone *William Wode *Thomas Ridley *Signed the Sentence. *Present when the Inhibition was decreed.	-- Sentence of Deprivation against Appellant, with costs.	28 June 1602	-- The Appeal was from a Grievance, but the Delegates, by consent of the Respondent, pronounced sentence in the principal cause also. They affirmed the Decree of the Court of first Instance, and declared that Astill the Appellant had acquired the Rectory of Meysey Hampton by Simony, sentenced him to be deprived thereof, and condemned him in costs. 21st August 1602.—It was subsequently alleged that Astill had, notwithstanding the sentence, celebrated Divine Service and administered the Sacraments and Sacramentals (<i>Sacramenta et Sacramentalia</i>) to the Parishioners in the Parish Church of Meysey Hampton, and had meddled with the profits of the Rectory. Accordingly the Court decreed him to be cited for contempt, and to be inhibited from interfering in the premises. No further proceedings are recorded.
11	The earliest Minute of this Appeal is dated 16th October 1601, but the Commission of Appeal had been brought in previously.	-- William Bishop, Clerk, of the Diocese of London, <i>Appellant</i> ; against Richard Dalton and William Catmere, of the same Diocese, <i>Respondents</i> .	--	-- Correction of Clerk.	*John Hone *John Lloyd *William Ferrand *William Wode	-- Appeal pronounced against, and cause remitted with costs.	17 May 1602	-- There is nothing to show the nature of this cause except that in one of the Minutes (dated 13th February 1601-2) it is described as a "Cause of Correction," and that the Appellant claimed the benefit of the Royal Pardon of the 7th August 1601, on the ground that the offence charged against him had been committed before that date; but the claim seems to have been disallowed.
12	The earliest Minute of this Appeal is dated 9th October 1601, but the Commission had been brought in previously.	-- John Jourden, Clerk, Vicar of the Parish Church of Wellington, in the County of Salop, <i>Appellant</i> ; against Roger Steventon, Clerk, of the Diocese of Coventry and Lichfield, <i>Respondent</i> .	-- Audience on appeal from the Consistory of Lichfield.	-- Correction of Clerk (?)	*John Hone *John Lloyd *William Ferrand *Thomas Ridley *William Byrde	-- Decrees of Courts below reversed, but without costs.	21 May 1604	-- It appears that Jourden had been deprived by sentence of the Consistory Court on the ground that he had not paid the Tenths due to the Crown in respect of his Vicarage, and this sentence had been confirmed on appeal by the Court of Audience. The Delegates now reversed the sentence of both the Courts below, apparently on the ground that the Tenths had been duly paid, and dismissed and absolved Jourden, but made no order as to costs. From the Act Book it would seem that Jourden appealed as from a sentence in a Cause of Correction promoted by Steventon, but that Steventon denied having ever instituted a suit of that nature against him.
13	Commission of Appeal brought in 1st August 1603.	-- Sir Arthur Atie, Knight Precentor of the Cathedral Church of St. Patrick, Dublin, <i>Appellant</i> ; against John Biler, Clerk, Dean of the Cathedral Church of St. Patrick, and George Andrewes, <i>Respondents</i> .	-- Court of Dean and Chapter of St. Patrick's, Dublin.	-- Deprivation of Precentor.	Sir Daniel Dun, Knight, LL.D. (Dean of Arches). *John Hone *John Lloyd *William Ferrand *Thomas Edwards *William Byrde	-- Sentence of Deprivation reversed, but without costs.	22 May 1604	-- It seems that the Dean and Chapter of St. Patrick's Cathedral had deprived Sir Arthur Atie (on what ground is not stated) of the office of Precentor, and that George Andrewes had been admitted in his place. The Delegates pronounced for the Appeal, reversed the Decree of the Judges of the Court below, annulled the appointment of Andrewes, and decreed Atie to be restored to the office of Precentor; but made no order as to costs.

SECOND PERIOD—1601—1618—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
14	Commission of Appeal brought in 26th January 1604-5.	-- Richard Blades, of the Diocese of London and Province of Canterbury, <i>Appellant</i> ; against Elizabeth Warde, <i>Respondent</i> .	-- Arches (?)	-- Correction for Defamation.	*John Anye - - - Doctors *Henry Hickman - - - of (John) Cowell - - - Laws. *William Byrde - - - *Present when sentence was pronounced. Cowell also was present when the Respondent was dismissed.	-- Sentence in favour of the Appellant, with costs, but Respondent subsequently dismissed.	3 Dec. 1606 21 Feb. 1606-7	-- Blades, the promoter of the suit, appealed from some adverse decision of the Court below. The Delegates spoken for the Appeal, declared that Warde had spoken "scandalous, injurious, opprobrious, calumnious, and defamatory words" against Blades, ordered her to make retraction, and condemned her in costs. Subsequently however (28th January 1606-7), Warde's Proctor alleged that the words in question had been uttered before the 25th September 1605, and that Blades in his libel had proceeded against Warde, not for retraction of the words, but for penance and correction, and he prayed the benefit of the "Royal abolition," conceded by the last Parliament. Accordingly the Court dismissed Warde from the performance of any penance whatever, as well as from the payment of costs.
15	The earliest Minute is dated 5th February 1610-11, but the Commission of Appeal must have been brought in previously.	-- Robert Withers, of the Diocese of Exeter, Clerk, <i>Appellant</i> ; against John Leeche and William Helliar, Canons Residentiary or Prebendaries of the Cathedral Church of St. Peter, Exeter, and against the Reverend Father in Christ, William, by Divine permission, Lord Bishop of Exeter, <i>Respondents</i> .	-- Arches on appeal from the Bishop of Exeter.	-- Deprivation of Vicar Choral.	*Sir Lawrence Tanfield, Knight, Chief Baron of Exchequer. *Sir John Crook, Knight, Justice of King's Bench. *Sir Edward Bromely, Knight, Baron of Exchequer. *Francis James, LL.D., Auditor of the Court of Audience. *Thomas Ridley, LL.D.	-- Decrees of Courts below reversed, but without costs.	11 June 1611	-- Withers appealed from a sentence pronounced by the Bishop of Exeter, and confirmed by the Court of Arches, depriving him, " <i>propter nonnulla crimina sive delicta nequiter per ipsum commissa</i> ," of the office of Vicar Choral of Exeter Cathedral. The Delegates on the 11th June 1611 pronounced for the appeal, reversed the decrees of both the Courts below (but without costs), and restored Withers to his place in the College of Vicars Choral, commonly called Kallender Hay, "ita tamen ut non ingreditur in possessionem dicti vicariatus sui ad stallum in choro nisi post submissionem ejus factam dicto Reverendo Patri Epo Exon et Canonis," . . . such submission not to be deferred beyond two months from the date of the sentence. The Court further declared that Withers " <i>non eâ quâ decuit modestiâ . . . tam premissis ad peragendum publicam confessionem</i> ," &c. Annexed to the sentence is an entire copy of the "submission," which runs as follows:— "Robert Withers, one of the Vicars Choralls of the Cathedral Church of Saint Peter in Exeter, shall upon warnenge given unto him from the right Reverend ffather in God, William, Bishopp of Exeter, at such tyme as the said right Reverend ffather shall appoynt make his humble submission in the Chapter house of the said Church before the sayde Bishopp, Cannons, Vicars Choralls, Clarkes, and other there present, in forme followinge: And shall saye: Wheareas I, Robert Withers, have many wayes mysdemeaned myselfe towards the right Reverende ffather in God, the Lord Bishopp of Exeter, and diverse Cannons of this Cathedral Church, and have given just cause of offence unto them by my intemperate and undutifull cariage and behavior, as also by diverse unseemely speeches not fit for my place and callinge, I doe therefore by this my open confession and reclamation of my sayde faults acknowledge my rashnes therein, and humbly desyre forgiveness of the same of the sayde right Reverende ffather, and the rest of the Canons whome I have offended, and doe purpose and promise by God's assistance never to commit the like offence agayne, desyringe you that be present to be witnesses of this my unfayned repentance, and prayinge you by my example to abstayne hereafter from the like intemperances and misbehavior towards your superiores and governors." "This submission is to be made by Mr. Withers humble and reverentlie uppon his knees."

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No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
20	Commission of Appeal brought in 26 Nov. 1613.	-- William Edwards, of the Parish of Westhatche, in the County of Somerset, and Diocese of Bath and Wells, <i>Appellant</i> ; against Henry Stephens, John Masters, Christopher Adicott, and John Andrewes, pretended Wardens and Questmen for the Parish of Westhatche, at the Metropolitan Visitation of the Most Rev. the Archbishop of Canterbury within the Diocese of Bath and Wells lately pending ; and Richard Wey, pretended Curate of the Parish Church of Westhatche, and also Edward Huishe, Notary Public, Pro. Registrar or Scribe of the Acts to the Commissary of the Archbishop of Canterbury, <i>Respondents</i>.	-- Audience on appeal from the Court of the Dean and Chapter of Wells.	-- Correction of Parishoner for not receiving the Holy Eucharist, &c.	Ferrand - - - - - } Doctors of Amey - - - - - } Laws. Butts - - - - - } The above are the Delegates who accepted the commission in Court, but probably it included other Delegates also.	Proceedings discontinued	-	-- From a copy (contained in an old Book of Precedents) of the Appeal by Edwards to the Court of Audience in this case, it appears that he had been presented by the Churchwardens of Westhatche for not having received the Holy Eucharist at Easter, for having defamed his neighbours, and for having absented himself from Divine prayers in his Parish Church on divers Lord's Days. Not appearing to the citation, he was pronounced contumacious, and excommunicated by the Commissary of the Dean and Chapter. From this excommunication he appealed (in June 1613) to the Court of Audience, and afterwards, it would seem, to the Delegates. <i>Delegates.</i> The Commission of Appeal was presented to and accepted by three of the Delegates, and they decreed the usual inhibition to the Court below, but there seem to have been no further proceedings. Of what took place in the Court of Audience there is not any record.
21	Commission of Appeal brought in 3rd March 1613-14.	-- John Bellamy, Clerk, of the Diocese of Lincoln and Province of Canterbury, <i>Appellant</i> ; against John Impie and Richard Fensham (Churchwardens of the Parish of Cholgeave?), <i>Respondents</i>.	-- Arches (or Audience ?) on appeal from Consistory of Lincoln ?	Correction of Clerk	*John Amey - - - } Doctors of *Thomas Talbot - } Laws. *James Hussey - }	Decrees of Courts below reversed, without costs. Proceedings subsequently discontinued.	28 Nov. 1615	-- This was a Cause of Correction promoted by Impie and Fensham against Bellamy, but for what offence does not appear. On the Appeal the Respondents alleged that as Churchwardens of Cholgeave (?) they were bound to present and detect to the Ordinary all offences of ecclesiastical cognisance committed within their parish. The Delegates pronounced for the Appeal, and reversed the Decrees of both the Courts below, but without costs, and declared that the Respondents had duly and lawfully presented Bellamy, and that he must answer the detection. They retained the cause, but there seems to have been no subsequent Decree.

The Act Book of the time when this Commission was brought in is missing, <i>Re-spondent</i>.	-- George Beale, of the Diocese of Winchester, Province of Canterbury, <i>Appellant</i>; against Andrew Windsor, <i>Respondent</i>.	-- Archdeacon (or Audient?) on Appeal from Consistory of Winchester (?).	-- Correction of Layman.	*Thomas Talbot - *Thomas Edwards - *James Hussey - *Hugh Barker -	-- Decree of Court appealed from reversed with costs, but proceedings subsequently discontinued.	4 July 1617	-- Beale had been presented or detected for some offence, the nature of which does not clearly appear. He appealed to the Delegates on a Grievance. In reply Windsor alleged that he had not instigated the proceedings against Beale, nor intended to make himself a party in the matter, otherwise than he might be compelled to do so in self-defence. The Court, however, declared that Windsor had instigated the proceedings in the first instance against Beale, and had rightly been made a party in the second instance. They reversed the Decree appealed from, but gave Windsor leave to proceed against Beale, "quoad reparationem repagulorum cemetarii de Bendley." They condemned Windsor in costs in all the Courts. There seem to have been no further proceedings.
The Act Book for the period during which the Commission of Appraisal was brought in is lost.	-- John Williams, Clerk, S.T.B. of the Parish of Duddinghurst, in the County of Essex, and Diocese of London, <i>Appellant</i>; against Samuel Serle, or Searle, Clerk (of Heydon Germanor or Theydon Gernon?), <i>Respondent</i>, and Sir Daniel Duns (Dean of the Archdeaconry) intervening.	-- Audience, on Appeal from the Consistory of London.	-- Deprivation of Clerk convicted of Manslaughter.	Sir Charles Caesar, Knight - John Amy - John Pope, sear. - Oliver Lloyd -	-- Proceedings stayed by a Writ of Prohibition.	30 June 1618	-- "Samuel Serle, Parson of Heydon German," had been indicted, 18th Jac., at Lent Assizes, before me and my brother Haughton for manslaughter, for the death of one Simonds, and convicted of the same. . . . The next assizes in summer he was allowed Clergy, but was not burnt in the hand because of his orders, but by judgment of the Court was enlarged, (Consistory Court of the Bishop of London) "by Libel, that whereas he was convicted of homicide, it should be a cause to deprive him of his benefice," (2 <i>Croke</i>, 430.) It seems that Williams, the Benefice of Heydon German, as being void by Serle's conviction, and delivered out of prison." (<i>Hobart's Reports</i>, 288.) He "was now sued in the Spiritual Court" (Consistory Court of the Bishop of London) "by Libel, that whereas he was convicted of homicide, it should be a cause to deprive him of his benefice," (2 <i>Croke</i>, 430.) It seems that Williams, the Benefice of Heydon German, as being void by Serle's conviction, and delivered out of prison." (<i>Hobart's Reports</i>, 288.) 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THIRD PERIOD—1619—1640.

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24	Commission of Appeal, dated 26th November 1619, brought in 28th January 1619-20.	-- Thomas Large, Clerk, Rector of Catsfield, in the County of Sussex, and Diocese of Chichester, <i>Appellant</i> ; Lawrence Bunce, of the same Parish, <i>Respondent</i> .	-- Arches, on Appeal from the Court of the Archdeacon of Lewes.	- Defamation arising out of a charge of Simony.	*Sir George Newnan, Knight - - - Doctors *Sir Charles Caesar, Knight - - - of *Sir John Hayward, Knight - - - Laws. *Nicholas Styward - - - Barnabas Gooch - - -	-- Decree of Court of Arches reversed, with costs.	10 July 1620	<i>Archdeacon's Court.</i> -- Bunce was charged in the Court of the Archdeacon of Lewes with having stated that Large had obtained the Vicarage of Hollington, a Parish adjacent to Catsfield, by a simoniacal payment of 100 <i>l</i>. In the course of the proceedings Bunce admitted having mentioned a rumour that Large had obtained the Vicarage by a simoniacal compact, but said that the statement was made with no defamatory intention, but in the execution of his office as Churchwarden, on going through the Articles of Inquiry with his fellow Churchwarden, with a view to making their presentment to the Bishop of Chichester on his then approaching Visitation. 27th January 1617-18.—The Court dismissed Bunce from further proceedings, but condemned him in costs up to the time of making the admission, and Large in those incurred subsequently. Bunce appealed from so much of this sentence as condemned him in costs. The Appeal went direct to the Court of Arches. <i>Arches.</i> 8th June 1619.—The Court pronounced in favour of Bunce's Appeal, and condemned Large in costs. <i>Delegates.</i> 10th July 1620.—The Court reversed the Decree of the Court of Arches, and affirmed the Decree of the Archdeacon's Court; pronounced that the charge of defamation had been proved, sentenced Bunce to be canonically corrected, and to make retraction, and condemned him in costs in all the Courts. On a subsequent day a certain penance was enjoined upon him, and ultimately, on his certifying that he had performed the penance, he was dismissed. This is the earliest case in the Returns in which there is a Process. -- The Appeal is described as from a Grievance. The Archbishop had sequestered the profits of the Rectory of Buckstead (22nd March 1619-20), and subsequently (31st March 1620) collated Swale to the Benefice on the ground that it was vacant by the retirement of Tichborne. 4th December 1620.—The Delegates reversed the Archbishop's sentence, and revoked his Decree and Letters for the Induction of Swale. See Copy entered in Archbishop Abbot's Register at Lambeth Palace, of his Certificate (dated 6th June 1621), drawn up for the information of the Barons of the Exchequer, in return to a writ issued from that Court.
25	Commission of Appeal, dated 12th April 1620, brought in 4th May 1620.	-- John Tichborne, S.T.P., Rector of Great Buckstead, in the County of Sussex, and Deanery of Southmalling, of the peculiar jurisdiction of the Cathedral and Metropolitan Church of Canterbury, <i>Appellant</i> ; Christopher Swale, S.T.P., and George Rosse, and Samuel Spatcherst, Churchwardens of the same Parish, <i>Respondents</i> .	-- This is described in the Repertory Book as an Appeal from the Archbishop of Canterbury, probably because the Archbishop had heard the Cause in person, or by his Vicar General, at Lambeth Palace.	Benefice Cause (?)	Sir Charles Caesar, Knight, LL.D. *Sir John Hayward, Knight, LL.D. Nicholas Styward - - - Doctors Thomas Talbot - - - of *Thomas Eden - - - Laws.	-- Sentence of the Archbishop reversed, with costs.	4 Dec. 1620	

26	Commission of Appeal, dated 10th May 1623, brought in 12th May 1623.	-- Robert Allen, of Horblinge-cum-Brigend, in the County and Diocese of Lincoln, <i>Appellant</i> ; Thomas Granger, Clerk, Vicar of Horblinge, <i>Respondent</i> .	-- Court of Vicar General of Archbishop of Canterbury	-- Suit by Vicar to prevent a Parishioner keeping a school in his Parish.	Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty). Sir Charles Cesar, Knight Sir James Hussey, Knight Sir John Lambe, Knight (Nicholas) Styward	Proceedings discontinued	-	-- It would seem that this suit was originally instituted by Granger, in order to prevent Allen keeping a School in his (Granger's) Parish, and that Allen appealed from an inhibition decreed by Sir Thomas Ridley, the Archbishop's Vicar General, "ne aliquos pueros doceret in literis grammaticalibus, aut officium ludi magistri exerceret infra parochiam de Billingburrow Stowe vel Swaton of the Diocese of Lincoln."
27	Commission of Appeal, dated 30th October 1624, brought in 11th November 1624.	-- James Marten, Clerk, M.A., Vicar of Preston-cum-Amounderness, in the County of Lancaster, and Diocese of Chester, <i>Appellant</i> ; against John Inskipp, Clerk, <i>Respondent</i> .	-- Court of Archbishop of York on Appeal from Consistory of Chester.	-- Correction of Clerk for Non-residence (?).	Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty). *Talbot - - - - - Doctors *Barker - - - - - of *Wyvell - - - - - Laws.	- Appeal deserted, and Cause remitted, with costs.	4 Dec. 1626	-- On the 30th June 1626, the Respondent, by his Proctor, alleged that Marten had been deprived of the Vicarage of Preston, by a sentence of the Bishop of Chester, but on what ground does not appear; that he (Inskipp) had been presented to the Vicarage first by King James, and afterwards by King Charles; that Marten had appealed from the Bishop of Chester's sentence to the Archbishop of York, and again from the Archbishop's Court, on a Grievance, to the King in Chancery (i.e. to the Delegates); that subsequently the Bishop of Chester had again deprived and removed Marten from the Vicarage for not residing thereon according to a monition served upon him; and that one Augustin Wildbore, Clerk, was making every effort to be inducted and instituted to the Vicarage, notwithstanding the Cause then pending; he therefore prayed for an inhibition against the Archbishop of York and the Bishop of Chester, and their Officials, and against Marten and Wildbore. The Court granted the inhibition.
28	Commission of Appeal, dated 31st January 1624-5, brought in 5th February 1624-5.	-- William Sharpe, Clerk, Vicar of the Parish Church of Bledlowe, in the County of Bucks and Diocese of Lincoln (<i>sic</i>), <i>Appellant</i> ; against William White, Clerk, <i>Respondent</i> .	-- Audience on Appeal from Consistory of Lincoln.	-- Correction of Clerk.	*Sir Henry Marten (Knight), LL.D. (Judge of the High Court of Admiralty, &c.) (Sir James) Hussey (Knight), LL.D. *Talbot - - - - - Doctors *Barker - - - - - of *Wyvell - - - - - Laws.	-- Sentence against the Appeal, and Cause remitted, with costs.	24 Nov. 1626	-- It appears from a copy of the Appeal from the Consistory Court in this Cause, contained in an old Book of Precedents, and dated 10th May 1623, that Sharpe appealed in the first instance from a sentence of Excommunication and Suspension pronounced against him by the Judge of the Consistory Court in a Cause of Correction promoted by White, but on what precise grounds does not appear. There is no record of the proceedings in the Court of Audience, but as Sharpe was the Appellant from that Court also, it seems probable that it confirmed the Decree of the Court below.

12th May 1626.—While the Cause was pending before the Delegates, White, the Respondent and original promotor, died, and one Robert Evans, his executor, applied to be admitted to appear in his stead. The application was opposed by Sharpe's Proctor, who objected that Evans had no interest in the Cause, but the objection seems to have been overruled. Subsequently (22nd May 1626) Sharpe's Proctor alleged that the offences charged had been committed before the — December 1623, and had since been pardoned by the Royal Act of Oblivion, but the Court assigned Sharpe to bring in his libel, and ultimately (24th November 1626) pronounced sentence against the Appeal, and remitted the Cause, with costs.

THIRD PERIOD—1619—1640—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
29	Commission of Appeal, dated 21st February 1626-7, brought in 22nd February 1626-7.	- - Joseph Stock, Clerk, M.A., <i>Appellant</i> ; against Richard Sikes, Clerk, and William Richardes, <i>Respondents</i> .	- - Court of Archbishop of York.	Benefice Cause	(Sir Henry) Marten (Knight) LL.D. (Judge of the High Court of Admiralty, and Dean of the Arches, &c.) (Sir John) Haywards (Knight), LL.D. (Sir John) Lambie (Knight), LL.D. Rives - - - - - Doctors Talbot - - - - - of Wyvell - - - - - Laws.	-- Proceedings stayed by a Writ of Prohibition.	27 April 1627	- - Stock appealed from the admission and institution of Sikes to the Rectory and Parish Church of Kirkehorton, in the County and Diocese of York, in the absence of Joseph Stock and his Proctor; also from the granting of a mandate by the Archbishop of York or his Vicar General, for the induction of Sikes. Upon this the Court of Delegates granted the usual inhibition. Subsequently (11th April 1627) it was alleged, on behalf of the Appellant, that, before the induction took place, the Respondent, Sikes, and one Richard Taylor, clerk, had been duly inhibited from doing anything to the prejudice of the Appeal, but that notwithstanding this, on the 23rd March 1627, when one Thomas Stock, clerk, the Curate lawfully appointed to serve the said Rectory, was prepared to celebrate Divine Service (<i>Divina celebrare</i>) in the seat appointed for that purpose, the said Richard Taylor endeavoured to enter the seat by force, and to break the bolts (?) (<i>ferreamenta</i>), and that then the said Richard Sikes (the Respondent) publicly declared in the said Church that he would celebrate Divine Service therein notwithstanding the inhibition, and so crossing over to the aforesaid seat he violently opened the door, and introduced the aforesaid Richard Taylor into the said seat in manifest contempt of law and of the inhibition of the Court, &c. It was further prayed that Sikes and Taylor might be called upon to answer articles of contempt. On the 27th April 1627, William Richardes appeared and brought in a Writ of Prohibition. There were no further proceedings.
30	Commission of Appeal, dated 10th October 1627, brought in 11th October 1627.	- - Joshua Aisgill, Clerk, S.T.P., of the University and Academy of Oxford, <i>Appellant</i> ; against The Most Rev. Father George, by Divine permission, Archbishop of Canterbury, Primate and Metropolitan of all England, and Isaac Bargrave, S.T.P., <i>Respondents</i> .	- - Court of Archbishop of Canterbury.	Benefice Cause	*George, Bishop of London - - *Richard, Bishop of Durham, and one of the King's Council (<i>consiliarius domini Regis</i>). *John, Bishop of Rochester. *John, Bishop of Oxford. *William, Bishop of Bath and Wells, and one of the King's Council.	-- Sentence in favour of the Appellant, with costs.	3 Nov. 1627	- - It seems that Bargrave had been collated by the Archbishop of Canterbury to the perpetual Vicarage of Lidd or Lydd, in the County of Kent, on the 19th September 1627. Aisgill, who claimed to have been presented to the Vicarage by Royal Letters Patent under the Great Seal, appealed against Bargrave's institution, alleging that he had received no notice thereof until after its completion. In the course of the proceedings (29th October 1627) Bargrave renounced his letters of collation as possessed as patron the right of collation. Shortly afterwards (3rd November 1627) the Delegates annulled the institution of Bargrave by the Archbishop, and instituted Aisgill on his taking the usual oaths and making the usual subscriptions. This case is noticeable from the fact that the Commission of Appeal was addressed to five bishops without the addition of either common law judges or civilians. The case of <i>Leslie v. Aunger</i> (No. 38) is the only other instance of the kind. The same bishops had been appointed by a Special Commission under the Great Seal, dated 9th October 1627, to be Commissioners for the exercise of the archiepiscopal jurisdiction within the Province of Canterbury. The Delegates' Act Book contains a minute, dated 26th October 1627, of the acceptance of the commission by four of the five bishops named, power being reserved to the Bishop of Durham to accept it subsequently. In this (special) commission which is given at length in <i>Rushworth's Historical Collections</i> , Vol. I., p. 431, the reason for which the appointment was made is stated as follows: "Forasmuch as the said Archbishop" (Abbot) "cannot at this present, in his own person, attend the services, which are otherwise proper for his cognisance and jurisdiction." In Archbishop Abbot's own narrative (p. 454, &c.) it is stated that in July 1627 he had been desired by the King to withdraw to Canterbury, on account of his having refused to license a sermon intitled "Apostolical Obedience," preached by Dr. Sibthorp at the Leat Assizes at Northampton in the same year, in defence of levying loan money, and he attributes his being so "sequestered," to the malice of the Duke of Buckingham, and Laud, then Bishop of Bath and Wells. The Archbishop describes himself as able to do all things in his house that were to be done, as in keeping the High Commission Court; he admits, however, that he "went not out of door," being "enfeebled not with gout only, but with the stone also and gravel."

31	Commission of Appeal, dated 30th June (May?) 1628, brought in 14th June 1628.	-- Tobias Crispe, Clerk, Rector of the Church of Newington, or Newington Butts, in the County of Surrey and Deanery of Croydon, within the immediate jurisdiction of the Cathedral and Metropolitical Church of Canterbury, <i>Appellant</i> ; against Thomas Stevens, Clerk, <i>Respondent</i> .	-- Court of Vicar General of the Archbishop of Canterbury.	Benefice Cause	(Sir Henry) Marten (Knight), LL.D. (Judge of the High Court of Admiralty, and Dean of the Archies, &c.) (Sir John) Lambe } Doctors of (Knight) - } of Pope, senior - } Laws. Barker - } Wyvell - }	Proceedings discontinued	-- Crispe appealed from the institution and mandate for the induction of Stevens into the Church and Rectory of Newington Butts. The Delegates granted the usual inhibition against anything being attempted to the prejudice of the appeal, but subsequently (7th July 1628) it was alleged on behalf of the Appellant, that notwithstanding the inhibition, Stevens had on three several occasions, in time of Divine Service, endeavoured and began to read the Thirty-nine Articles in the said Church, to the disturbance of the people and parishioners there assembled, and in contempt of the law and the jurisdiction of the Court. Upon this, the Delegates decreed Stevens to be cited to answer Articles in a Cause of Contempt. There were some further proceedings, but it does not appear how either suit terminated.
32	Commission of Appeal, dated 26th September 1628, brought in 27th September 1628.	-- Ambrose Aunger or Aingier, Clerk, M.A., Treasurer of the Cathedral Church of St. Patrick, Dublin, in the Kingdom of Ireland, <i>Appellant</i> ; against Henry Leslie or Lisle, Clerk, M.A., of the said Kingdom of Ireland, <i>Respondent</i> .	-- The Royal Prerogative Court for Ecclesiastical Causes and Faculties throughout Ireland.	Benefice Cause (?)	John, Bishop of Ely - - - John, Bishop of Durham. Sir John Donham, Knight, Baron of the Exchequer. Sir Francis Harvey, Knight, Justice of Common Pleas. Sir George Crook, Knight, Justice of Common Pleas. Richard Shelton, Solicitor General. Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty, &c.) John Donn, S. T. P., Dean of St. Paul's, London. Roger Bates, S. T. P. John Pope - - - } Doctors Edmund Pope - - - } of (William) Sames - - - } Laws. Barker - - - }	Proceedings discontinued	-- There is no sentence nor anything in the minutes to show the nature of the cause, beyond the fact that the process in this Appeal was admitted as evidence in that of <i>Leslie v. Aunger</i> (see below), after which the proceedings in the present cause were apparently discontinued. The Process has not been found.
33	Commission of Appeal, dated 20th November 1628, brought in 28th November 1628.	-- Henry Leslie or Lisle, Clerk, M.A., and one of the King's Chaplains, <i>Appellant</i> ; against Ambrose Aunger or Aingier, <i>Respondent</i> .	-- Court of the Archbishop of Dublin.	Benefice Cause	*William, Bishop of London, one of the King's Privy Council. *John, Bishop of Durham. *Richard, Bishop of Winchester, one of the King's Privy Council. *John, Bishop of Ely. *William, Bishop of Llandaff.	-- Sentence in favour of Appellant, with costs.	-- The question seems to have been whether the Crown or the Archbishop of Dublin had the right of appointing the Treasurer of St. Patrick's Cathedral. It appears from the sentence that King Charles had granted to Leslie Letters of Presentation under the Great Seal for the office of Treasurer, in pursuance of which he was instituted by the Archbishop of Armagh, but that the Archbishop of Dublin had refused to admit the Letters of Presentation, and had collated and instituted Aingier to the treasurer'ship. The Delegates annulled the collation, admission, and institution of Aingier by the Archbishop of Dublin, and confirmed the admission and institution of Leslie by the Archbishop of Armagh, and decreed him to be installed and inducted by the Dean and Chapter of St. Patrick's. They also condemned Aingier in costs. This is noticeable as one of two cases only (the other being that of <i>Aixgill v. Archbishop of Canterbury and Bargrave</i> , No. 80), in which the Commission of Appeal was composed exclusively of bishops, without peers, common law judges, or civilians.

THIRD PERIOD—1619—1640—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
34	Commission of Review, dated 27th April 1630, brought in 4th May 1630.	- - William Cowpland, Clerk, and Preacher of the Divine Word, Rector of the Parish of Gosforth, in the Diocese of Chester and County of Cumberland; against John Senhouse, sen., John Senhouse, jun., and Joseph Senhouse.	- - The Rev. Father, John, Bishop of Chester, and his Colleague, the King's High Commissioners (<i>Supremi Commis-sionarii Regii</i>) for Ecclesiastical Causes within the Diocese of Chester, viz.: William Lee, S.T.B. Henry Faurefax M.A. Augustin Wild-bore, M.A. George Murray, M.A.	- - Correction of Clerk.	Samuel, Archbishop of York - - Sir Henry Marten Knight, LL.D. (Judge of the High Court of Admiralty and Dean of Arches, &c.) John Scott, S.T.P., Dean of St. Peter's, York. John Dun (Donne?) S.T.P., Dean of St. Paul's. Hugh Barker - - Arthur Duck (Judge of the Consistory of London). Thomas Eden - - Doctors of Laws.	- - Cause agreed - -	15 Nov. 1631	- - The Commission in this case is described as a "pauper Commission," implying that Cowpland was allowed to sue <i>in forma pauperis</i> . It was rather rehearing than an Appeal as from a subordinate Court. It is called in one Minute " <i>negotium revisionis</i> ," and the Appellant is described at the commencement of the proceedings, not as " <i>pars appellans</i> ," but as " <i>pars supplicans</i> ." This Commission may be seen on one of the Patent Rolls at the Public Record Office (<i>see</i> Calendar of State Papers, Domestic Series, 1629-31, p. 551). Cowpland had been cited before the Bishop of Chester and his colleagues, at the instance of J. Senhouse, senior, and the other Respondents, to answer articles containing " <i>enormia flagitia</i> " (of what nature is not stated), and had been deprived by them of his rectory, and suspended from his clerical office. Upon this he petitioned the King, alleging that the evidence on which he had been condemned had been improperly admitted, and the King by a fresh Commission, dated 27th November 1628, directed the Bishop and the other Commissioners to re-hear the cause, but on its being represented that they desired to be relieved the present Commission was issued.
35	Commission of Appeal, dated 8th February 1632-3, brought in 18th February 1632-3.	- - "Prenobilis et honorandus vir," Robert, Viscount Kilmorey, of the Diocese of Coventry and Lichfield, <i>Appellant</i> ; against "Venerabilem et egregium virum," Sir John Corbett, Baronet, and Edward Wolley, Clerk, <i>Respondents</i> .	- - - - - Arches -	As to Services in a private Chapel.	Walter, Bishop of Winchester - - Francis, Bishop of Ely. John, Bishop of Rochester. Thomas Wynniiff, S.T.P., Dean of St. Paul's Cathedral. Sir John Lamb, Knight, LL.D. Sir Nathaniel Brent, Knight, LL.D. (Vicar General of the Arch-bishop of Canterbury). Thomas Rives - - Doctors of Laws. Richard Zouch - - of Thomas Benet - - Griffith - -	- - Decree of Court below reversed, but without costs.	10 Feb. 1633-4	- - From the sentence, which is much torn and defaced, it would seem to have been contended by the Respondents (as Patron and Rector of the Parish?) that a private chapel attached to Shavington House (?) in the Parish of Adderley, in Shropshire, had not been duly consecrated, and the Appeal was apparently from some decision of the Court of Arches, in their favour. 10th February 1633-4.—The Delegates pronounced sentence for the Appeal, reversed the Decree of the Court below, and declared that the chapel had been duly and canonically consecrated or dedicated to the honour of God and (for the use?) of Lord Kilmorey, his successors and family, for the celebration of Divine Worship, administration of the sacraments, solemnisation of marriages, and performance of all other Divine duties, and saving the rights of the Mother Church of Adderley and all emoluments belonging thereto, they confirmed the consecration or dedication. They declared, however, that a chaplain, to be approved and licensed by the Ordinary, must be maintained at the expense of Lord Kilmorey for the performance of Service; that he must not marry any persons without banns published in the Parish Church or license from the Ordinary, and must certify to the Rector of Adderley, his Curate, or the Churchwardens, the names of all persons married, and of all infants baptised, by him, within one month from the date of the marriage or baptism. It was further ordered that the Appellant and his successors dwelling in the house of Shavington, and also his and their families, and the Curate or Chaplain for the time being should, once in every year, at the feast of Easter or Pentecost, receive the Sacrament of the Eucharist in the Parish Church of Adderley, in token of subjection to the Mother Church. No order was made as to costs.

See also the Calendar of State Papers, Domestic Series, 1631-3, p. 495.

36	Commission of Appeal, dated 25th July (?) 1632, brought in 6th May 1633.	-- Clemente Corbett, LL.D., Official Principal of the Consistory Court, and Vicar General of the Bishop of Norwich, Edward (in the sentence described as Robert) Barker, Clerk, Thomas Meadowe, and Thomas Tilson, of the County and Diocese of Norwich, <i>Appellants</i> ; Mary Ferrier, Wife of Robert Ferrier, of the Town of Great Yarmouth, in the same County and Diocese, <i>Respondent</i> .	--- Arches ---	-- Correction of Parishioner for perturbation seat.	of for of	*Sir John Lambe, Knight, LL.D., *Sir Nathaniel Brent, Knight, LL.D., (Vicar General of the Archbishop of Canterbury). *Arthur Duck - } Doctors Thomas Eden - } of *Francis Baber - } Laws. †Signed sentence on the Grievance. *Signed sentence in the principal Cause.	- - - On the Grievance. Decree of Court below reversed, with costs, and Cause retained. In the principal Cause. Sentence condemning Respondent, with costs.	28 June 1634 18 Feb. 1634-5	- - Mary Ferrier had been presented by the Minister and Churchwardens of the Parish Church of Yarmouth to Dr. Corbett the Ordinary, for having rashly and without authority intruded herself into a certain seat in Church between the Wives of the Aldermen of the Town. The Ordinary having directed the Churchwardens to remove her, and assign her another fit and suitable seat, she seems to have appealed from this order to the Court of Arches, which gave some decision in her favour, from which Dr. Corbett, &c., appealed to the Delegates. 28th June 1634.—The Delegates (on the Grievance) pronounced for the Appeal with costs, reversed the Decree of the Court of Arches, affirmed the Decree of the Consistory Court from which Ferrier had appealed, and retained the Cause, rejecting, apparently, the prayer of the Appellants that it might be remitted to the Consistory Court, and reserving the taxation of costs until the end of the suit. Subsequently (18th February 1634-5) the Court, for her contempt and temerity in the premises, ordered Ferrier to be corrected and punished, and to submit to the decision of the Ordinary. She was also condemned in costs.
37	Commission of Review, dated 14th May 1635, brought in 3rd July 1635.	-- Mary Ferrier, &c., against Clemente Corbett, LL.D., Edward Barker, Clerk, Thomas Meadowe, and Thomas Tilson, &c.	--- Arches ---	-- Correction of Layman for immorality.	- - -	Sir Richard Hutton, Knight, Justice of King's Bench. Sir Robert Barkley, Knight, Justice of Common Pleas. Sir Francis Crawley, Knight, Justice of King's Bench. (Basil) Wood - } Doctors (Richard) Zouch - } of (Martin) Ayleworth - } Laws. (Thomas) Bennett - } (William) Merrick - }	Proceedings discontinued	-	- - Shortly afterwards Mary Ferrier obtained a Commission of Review to re-hear the Appeal. The Cause was assigned for sentence, but none seems to have been given. The last Minute is dated 17th February 1635-6.
38	Commission of Appeal, dated 22nd February 1633-4, brought in 27th February 1633-4.	-- John Canning, of the Diocese of London and Province of Canterbury, <i>Appellant</i> ; Robert Smith, of the same Diocese and Province, <i>Respondent</i> .	--- Arches ---	-- Correction of Layman for immorality.	of Im-	(Sir Henry) Marten (Knight), LL.D. (Judge of the High Court of Admiralty, &c.) (Sir Nathaniel) Brent (Knight), LL.D. (Vicar General of the Archbishop of Canterbury). Rives - } Doctors Aylet - } of Talbo - } Laws.	Proceedings discontinued	-	- - From the depositions in this case it would seem that the suit was instituted against Smith on a charge of adultery, but there is nothing to show the exact nature of the Decree appealed from; nor is there any record of the proceedings after the 3rd December 1634.
39	Commission of Appeal, dated 23rd November 1634, brought in 22nd January 1634-5.	-- Henry Bird, Clerk, Curate of Harpenden, in the Diocese of Lincoln, <i>Appellant</i> ; Edmund Neale and Thomas Neale, of Harpenden, <i>Respondents</i> .	-- Audience on Appeal from Consistory of Lincoln (?).	Correction of Clerk	of Clerk	*Sir John Lambe, Knight, LL.D. (Dean of the Arches). *Thomas Rives - } Doctors *Basil Woodd - } of *William Merricke - } Laws. Thomas Parry - }	- - Sentence of Court below reversed, with costs.	25 Nov. 1635	- - It appears from the sentence that Bird had been presented by the Respondents (but for what offence is not stated), and that they appealed from the Court of First Instance (the Consistory of Lincoln?) to the Court of Audience. The Auditor of that Court having pronounced some sentence in their favour, Bird appealed to the Delegates, who, on the 25th November 1635, pronounced for the Appeal, reversed the sentence of the Court below, and dismissed Bird from all further observance of judgment in regard to the pretended presentment. The Respondents were condemned in costs in all the Courts.

THIRD PERIOD—1619—1640—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
40	Commission of Appeal, dated 17th June 1635, brought in 8th July 1635.	-- Thomas King and Edward Coward, of the Diocese of Sarum, <i>Appellants</i> ; against Thomas Aylesbury, Clerk, S.T.P., of the same Diocese, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Sarum (?).	-- Correction of Clerk for not repairing Chancel, &c.	*Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty, and Dean of Arches). *Sir Nathaniel Brent, Knight, LL.D. (Vicar General of Archbishop of Canterbury). *Thomas Benet - } Doctors Cleric Talbott - } of Laws. Martin Ayleworth - }	-- Appeal pronounced against, with costs, but sentences of the Courts below reversed or varied.	4 Dec. 1635	-- It would appear from the sentence that this was, in form at least, a criminal suit, promoted by King and Coward against Aylesbury, who is described as " <i>per res</i> ," and that the Promoters appealed from some sentence of the Court of Arches, the nature of which is not stated. The Delegates, on the 4th December 1635, pronounced against the Appeal, but "revoked and retracted," the sentences pronounced in the first and second instance, and declared that Aylesbury, the party Appellate and present (<i>modernum</i>) Rector of Barwick St. Leonards, must restore and repair the chancel and the house or hospice of the Curate of Sedghill, and a certain part of the churchyard, as often as ever the same should happen to be dilapidated and ruinous, and must, either in person or by a sufficient Curate, serve the Cure of Souls in the Chapel of Sedghill. The Appellants were condemned in costs in all the Courts.
41	Commission of Appeal, dated 15th July 1635, brought in 24th July 1635.	-- The Venerable Alexander Reade, S.T.P., Rector of Fifeild, in the County of Essex, <i>Appellant</i> ; against Gilbert Church, of Fifeild, <i>Respondent</i> .	-- Arches, on Appeal from Consistory of London.	-- Correction of Layman (?).	*Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty). *Sir Nathaniel Brent, Knight, LL.D. (Vicar General of the Archbishop of Canterbury). Thomas Rives - } Doctors Robert Aylett - } of Laws. *William Merricke - }	-- Sentence of Court of Arches reversed, with costs, but Respondent dismissed.	17 Feb. 1639-40	-- This would seem to have been a Cause of Correction promoted by Reade against Church, who appealed to the Court of Arches from some Decree of the Vicar General of the Bishop of London. The Dean of Arches then pronounced some sentence from which Reade appealed to the Delegates. The Delegates (17th February 1639-40) pronounced for the Appeal, reversed the sentence of the Court of Arches, and apparently approved the Decree of the Court below; but for special reasons (the nature of which is not stated), decided not to remit the cause to the Judge of that Court, but dismissed and absolved Church, so far as regarded the charges detected or objected against him by the Judge in the first instance (that is, by the Bishop of London's Vicar General, as Judge of the Consistory Court). They also condemned Church in the costs of both Appeals.
42	Commission of Appeal, dated 27th September 1638, brought in 4th October 1638.	-- John Galbraith, Clerk, Rector of the respective Parish Churches of Kilkenny and Magheracross, in the Diocese of Clogher and Province of Armagh, <i>Appellant</i> ; against The Most Reverend Father in Christ, James, Lord Archbishop of Armagh, Primate of all Ireland, and Metropolitan, or George King, his Vicar General in Spiritualibus in the course of his Metropolitan Visitation, brought in 4th October 1638, <i>Respondent</i> .	-- Court of Archbishop of Armagh.	-- Correction of Clerk (?).	*Sir Henry Marten, Knight, LL.D. (Judge of the High Court of Admiralty). *Sir John Lamb, Knight, LL.D. (Dean of Arches). Sir Nathaniel Brent, Knight, LL.D. (Vicar General of the Archbishop of Canterbury). *William Merricke - } Doctors John Exton - } of Laws.	-- Sentence of Court below reversed, with costs.	28 June 1639	-- Galbraith appealed to the Delegates from a sentence of Deprivation pronounced against him by the Bishop of Clogher, but on what ground does not appear. The Delegates pronounced for the Appeal, annulled the pretended sentence of Deprivation as having been passed upon Galbraith in his absence, and otherwise unduly as to the mode and form of proceeding, and condemned the Bishop in costs, the taxation of which was reserved until the termination of the suit; but there seem to have been no further proceedings. [The Minutes from October 1638 to October 1639 are missing.]

- - From the depositions in this case it would seem that the suit was promoted by Robinson against Harrison. Both Appellant and Respondent are described in the evidence as being or having been curates at Mortlake.
There is nothing to show the exact nature of the Decree appealed from; nor is there any record of the proceedings after the 15th November 1639.

- - It seems that Viscount Loftus claimed the Archdeaconry of Llandelaughe or Glandelaughe, under letters of collation from Adam, formerly Archbishop of Dublin, but that the then Archbishop had either previously to or pending the Appeal collated Stanhope to the Archdeaconry.

In the course of the proceedings the Appellant alleged that he had been despoiled of and ejected from the Archdeaconry. Subsequently (on the 17th February 1640-41) the Court decreed him to be restored to the full and peaceful possession thereof, together with the Rectory of Newcastle, and that a monition to that effect should be issued to the Archbishop of Dublin and to the Dean and Chapter of the Cathedral Church, and further that Stanhope should be inhibited from disturbing him in the possession of the Archdeaconry, &c., or in the receipt of the profits thereof, *pendente lite*. (17 February 1640-41).

29 May 1641.—Ultimately the Delegates pronounced for the Appeal, revoked the letters of collation granted to Stanhope, and condemned the Respondents in costs.

- - There is nothing to show the exact nature of the Cause, but it would appear from the sentence of the Delegates that the profits of the Rectory of Witherle or Witherle had been sequestered, and that Sir W. Willmer appealed from a Decree of the Court of Audience ordering the sequestration to be relaxed *pendente lite*. The Delegates pronounced against the Appeal, and affirmed the Decree appealed from, with costs. It does not appear that the Cause was remitted to the Court of Audience, or that any further sentence or Decree was pronounced by the Delegates.

43	Commission of Appeal, dated 15th October 1638, brought in 15th November 1638.	- - Osmond Harrison, deacon, M.A., of Mortlake, in the County of Surrey, <i>Appellant</i> ; John Robinson, Clerk, of Mortlake, <i>Respondent</i> .	- - Arches -	- - Correction of Clerk for Drunkenness.	(Sir Henry) Marten (Knight), LL.D. (Judge of the High Court of Admiralty). Gwinn - - } Doctors Woodd - - } of Ayleworth - - } Laws. Griffith - - }	- - Proceedings discontinued.	-	-
44	Commission of Appeal, dated 17th March 1639-40, brought in 27th March 1640.	- - Adam, Viscount Loftus, of Ely, in the Kingdom of Ireland, <i>Appellant</i> ; The Rev. Father Laurence, Archbishop of Dublin, and Edward Stanhope, Clerk, <i>Respondents</i> .	- - Court of Archbishop of Armagh.	Benefice Cause -	(Sir Henry) Marten (Knight), LL.D. (Judge of the High Court of Admiralty). *Sir John Lambe, Knight, LL.D. (Dean of the Arches). *Sir Nathaniel Brent, Knight, LL.D. (Vicar General of the Archbishop of Canterbury). *William Sames - - } Doctors *John Exton - - } of Laws.	- - Sentence in favour of the Appellant, with costs.	29 May 1641	-
45	Commission of Appeal, dated 28th July 1640, brought in 1st August 1640.	- - Sir William Willmer, Knight, Patron of the Parish Rectory of the Church of Witherle, in the County of Leicester, <i>Appellant</i> ; Robert Lloyd, Clerk, (Rector of Witherle?), <i>Respondent</i> .	- - Audience	- - Correction of Clerk (?).	*Sir Nathaniel Brent, Knight, LL.D. (Vicar General of the Archbishop of Canterbury). *Thomas Rives, LL.D., King's Advocate. *William Sames - - } Doctors *Basil Woodd - - } of *William Mericke - - } Laws.	- - Decree of Court below affirmed, with costs.	9 July 1641	-

FOURTH PERIOD—1641—1660.

DURING this Period all Ecclesiastical Jurisdiction was in abeyance,^a and consequently
the Return is a blank.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
46	Commission of Appeal, dated 15th August 1660, brought in 16th August 1660. (This seems to have been the first Commission issued after the Restoration.)	- - John Baker, Clerk, M.A., Appellant; John Peachey, sen., Clerk, Respondent.	- - Court held by Vicar General of Dean and Chapter of Canterbury, during the vacancy of the Sees of Canterbury and Winchester.	Beneficence Cause	(Richard) Zouch, LL.D. (Judge of the High Court of Admiralty), (Sir William) Merriek (Knight), LL.D. (Judge of the Prerogative Court of Canterbury). (William) Lewin - } Doctors (Giles) Sweit - } of (Robert) King - } Laws, (John) Crusoe - }	- - Proceedings discontinued.	-	- - Peachey had been presented by one Nicholas Hursthouse to the Rectory of "Reiderith" or "Rotherith," in the County of Surrey and Diocese of Winchester, and the Sees of Winchester and Canterbury being then both vacant, had, on the 24th July 1660, been admitted and instituted by the Vicar General of the Dean and Chapter of Canterbury, who are described as possessing, during the vacancy, all the Spiritual and Ecclesiastical jurisdiction of those Sees, and the institution of Peachey. From the evidence of Baker's witnesses it would appear that he had been presented to the same Rectory in January 1657 by one Captain Dobbins, as co-patron with Hurlstone, and had been instituted and inducted "by the authority that then was," ever since which he had "constantly preached the Word of God," but had not, it seems, "performed any other offices belonging to the ministerial function, as baptising of children, or delivering the Sacrament of the Lord's Supper," which had not been administered in the Parish since he came to be Rector. Probably Baker abandoned the Appeal, for no sentence seems to have been pronounced, nor is there any record of proceedings after the 18th December 1660.
47	Commission of Appeal, dated 21st August 1660, brought in 23rd August 1660.	- - Philip Scarlet, Clerk, Rector of North Creek, or North Creek, in the County of Norfolk, Appellant; Samuel Panck, Clerk, Respondent.	- - ditto	- - ditto	Richard Zouch, LL.D. (Judge of the High Court of Admiralty), William Lewin, LL.D., Giles Sweit, LL.D., Dean of Arches, Robert King - } Doctors James Master - } of laws.	- - No sentence was pronounced by this Commission.	-	- - This was a similar case to the foregoing. In July 1660 Panck had been presented by King Charles II. to the Rectory of North Creek, the right of presentation having then, it was said, lapsed to the Crown, and on the 11th August 1660 had been instituted by the Vicar General of the Dean and Chapter of Canterbury. On the other hand it was alleged that Scarlet had about five years before been presented to the same Rectory by one William Armiger, as patron in turns with the Bishop of Norwich, and had ever since preached the Word, and performed the offices of his ministerial function there; but that Panck had on one Sunday come into Church and read his Articles there, disturbing a minister who was officiating for Scarlet. One of the witnesses, Dr. Manton, Rector of St. Paul's, Covent Garden, alleged that Scarlet had been ordained a minister by him, Dr. Kendall, Dr. Spurstow, and others "for some years past, as the times did then permit," and had since, as he had heard and believed, been ordained by a Bishop. He also stated that Scarlet had been examined by him as a member of the Committee then sitting at Whitehall "for the instituting and inducting of ministers."
	Commission of Adjuncts, dated 15th February 1661-2, brought in 18th February 1661-2.	- - ditto	- - ditto	- - ditto	* Giles Sweit, LL.D., Dean of Arches † Robert King - } - - Martyn - } Doctors (John) Crusoe - } William Lewin - } † Thomas Head - } of † James Master - } Laws, - - Peyys - } (John) Mills - } † Signed the sentence on the Grievance. * Signed the sentence in the Principal Cause.	- - On the Grievance, Appeal pronounced for, with costs, and cause retained. In the principal Cause, sentence for the Respondent, but without costs.	21 Feb. 1661-2 26 Feb. 1661-2	The Appeal is described as from a Grievance. The Delegates (21 February 1661-2) pronounced for the Appeal, with costs; but shortly afterwards (26th February 1661-2) declared that the Rectory was vacant, that Panck had been presented thereto by the King, who was the true and undoubted patron, and on his subscribing the Articles, &c., they admitted and instituted him, and decreed a mandate for his induction. The

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
48	Commission of Appeal, dated 6th June 1663, brought in 16th June 1663.	- - William Woodward, Clerk, Rector of the Parish Church of Trottescliffe, in the County of Kent and Diocese of Rochester, <i>Appellant</i> ; against James Atwood, Bathurst Atwood, James Godden, and John Bewley, <i>Respondents</i> .	- - Court of the Archbishop of Canterbury during his visitation within the Diocese of Rochester.	- - Correction of Clerk for Blasphemy.	Gilbert, Bishop of London - George, Bishop of Winchester. Humphrey, Bishop of Salisbury. Richard, Bishop of Carlisle. Sir Robert Hyde, Knight, Justice of King's Bench. Sir Thomas Twisden, Knight, Justice of Common Pleas. Sir Edward Atkins, Knight, Baron of the Exchequer. Sir Wadham Windham, Knight, Justice of Common Pleas. Sir Giles Sweet, Knight, LL.D., Dean of the Arches. Sir William Merick, Knight, LL.D., Master of the Prerogative Court of Canterbury. William Lewin - } Doctors Robert King - } of John Mylles - } Laws. - Woolrich - }	- - No sentence was pronounced by this Commission.	-	<i>Continued from p. 19.</i> The process in this case (No. 47) contains a copy of a petition which was presented on the 11th Feb. 1644 to King Charles I. at Oxford, from the Dean of Canterbury, on behalf of the Chapter, representing that "by reason of the manifold distractions of the Kingdom," they could not appoint officers, or otherwise exercise the Archbishop's jurisdiction, which devolved upon them during the vacancy of the see, and praying the King to appoint Ecclesiastical Judges for the exercise of the jurisdiction without prejudice to the rights of the Dean and Chapter. The King had accordingly appointed the late Archbishop's Dean of Arches and his Judge of the Prerogative Court to exercise those offices, as well as the offices of Commissary of Faculties and Vicar General of the Archbishop respectively. - - There is no process in this suit, nor anything to show the exact nature of the decree from which Woodward appealed, but it appears from the evidence taken on the Appeal that the suit had been promoted by the Atwoods and the other Respondents against Woodward for having uttered various profane and blasphemous speeches, <i>e. g.</i>, that the Lord's Prayer was not commanded to be used, that the Church of England might as well be called the Church of Rome, that he had attained such perfection that he could not sin, and that one William Francklin, a ropemaker, who had lived with him, was the Christ and Saviour. On the 2nd July 1664, Woodward prayed the benefit of the Act of Oblivion, and the Cause was assigned for sentence <i>quandocunque</i>, but there seem to have been no further proceedings until the 4th May 1666, when the Commission of Adjuncts was brought in.

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FIFTH PERIOD—1660—1789.—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
50	Commission of Appeal, dated 9th February 1663-4, brought in 15th February 1663-4.	-- Josiah Slader, Clerk, Rector of Birmingham, in the County of Warwick, <i>Appellant</i> ; against Richard Smalbrooke, of the same Parish, Gentleman, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Lichfield.	-- Correction of pretended Clerk for forging Letters of Orders, &c.	*Humphrey, Bishop of London *George, Bishop of Winchester. *Matthew, Bishop of Ely. *Beojamin, Bishop of Lincoln. *Sir Robert Hyde, Knight, Chief Justice of Common Pleas. Sir Orlando Bridgeman, Knight and Bart., Chief Justice of King's Bench. Sir John Keeling, Knight, Justice of Common Pleas. *Sir Samuel Browne, Knight, Justice of King's Bench. *John Exton, LL.D., Judge of the High Court of Admiralty. *Sir William Merrick, Knight, LL.D., Master of the Prerogative Court of Canterbury. *Thomas Read - - - Doctors - Pepys - - - of Laws. (John) Cruso - - -	-- Sentence of Court of Arches affirmed, with costs, and cause remitted.	19 Dec. 1664	<i>Consistory Court.</i> -- Slader was charged with having, in the year 1661, forged and ante-dated Letters of Orders from Dr. Wright, the late Bishop of Coventry and Lichfield (who died in 1643), and with having so intruded himself into the Rectory of Birmingham; with disaffection to the King, preaching among the Quakers, railing in the pulpit at the Parishioners, swearing, gaming, perjury, and incest with his Wife's Sister; also with practising jugglery, and especially by pretending, on one occasion, to cut off his son's head and set it on again, "taking money for the sight thereof." 24th October 1662.—The Bishop of Lichfield and Coventry, at the Petition of 37 of the Inhabitants of Birmingham, suspended Slader from the exercise of his office, <i>pendente lite</i>, on account of the doubt as to his Ordination. From this suspension Slader appealed to the Court of Arches. <i>Arches.</i> 4th November 1662.—The Court at first relaxed the Suspension, but afterwards (1st December 1662), on account of the prevalence in London of a report that he had forged his Letters of Orders, inhibited him from the exercise of his Office until sentence should be given that he had been duly ordained. 17th July 1663.—On this day sentence was pronounced annulling the suspension by the Bishop, and condemning Smalbrook in costs, but reserving the question as to Slader's Orders. As to this it seems to have been proved that, in August 1642, in which month Slader alleged that he had been ordained Priest by Bishop Wright, in Ecclethall Parish Church, the Bishop (who had been arrested in London, on a charge of High Treason, by Order of the House of Lords, dated the 30th December 1641), had not returned to Ecclethall, nor did Slader's name appear in the book which contained the Subscriptions of all Priests and Deacons ordained by the Bishop between April 1638 and June 1643. Evidence was also given that Slader had actually forged the Letters of Orders, and had tried in the year 1661 to get them entered in the Bishop's Registry at Lichfield, and that he had always been reputed to be a Layman, and had, between 1654 and 1660, kept an Apothecary's shop in Birmingham. 26th January 1663-4.—The Court pronounced that Slader had, subsequently to the (a) 24th June 1660, intruded himself (into the Rectory of Birmingham), and committed other crimes charged against him, that he had been and was a mere Layman, and not either in Priest's or Deacon's Orders, and deprived him of his pretended right to the Rectory of Birmingham, declared that the same was vacant, and condemned him in costs. From this sentence he appealed again. <i>Note (a).—</i>All offences committed before that date, with some exceptions, had been pardoned by the "Act of Free and General Pardon, Indemnity, and Oblivion." (12 Car. II. cap. 2.) <i>Delegates.</i> 18th February 1663-4.—The Delegates decreed Slader to be sequestered <i>ab officio suo clericali</i>. Subsequently (11th March 1663-4) they decreed a Sequestration of the Profits into the hands of the Churchwardens, rejecting Slader's prayer for the surplus (after providing for the Cure of the Parish, &c.), and reserving the disposal thereof until the termination of the suit. Ultimately (19th December 1664) the Delegates pronounced sentence against the Appeal, affirmed the Decree of the Court below, and remitted the Cause, with costs. It seems that, in the course of the Proceedings (in Trinity Term 1664), Slader moved for a Writ of Prohibition, on the ground that Forgery was a crime triable at Common Law; but the prohibition was denied because the Forgery "was touching an Ecclesiastical matter," and it was held that Slader was suable in the Ecclesiastical Court in order to his deprivation.—1 <i>Levinz</i>, p. 138; 1 <i>Siderfin</i>, p. 217. See also 2 <i>Bligh</i> (N. S.), p. 79. For Proceedings in a subsequent Suit against Slader, see Appeal, No. 86, <i>Slader v. Watinsley</i>.

51	Commission of Appeal, dated 30th September 1664, brought in 15th October 1664.	-- Robert Fletcher, of the Parish of Bolton, in the County of Lancaster, <i>Appellant</i> ; against Robert Harpur, Clerk, Vicar of the same Parish, <i>Respondent</i> .	-- Consistory of York, on appeal from the Consistory of Chester.	-- Correction of Parishioner for defaming and molesting Vicar.	(Sir Giles) Sweit (Knight), LL.D. (Dean of the Arches). (John) Exton, LL.D. (Judge of the High Court of Admiralty). (Sir William) Merick (Knight), LL.D. (Master of the Prerogative Court of Canterbury). (William) Lewen - } Doctors (Edward) Aldern - } of (John) Mylles - } Laws.	Proceedings discontinued	-- Fletcher was charged with combining with other disaffected persons "to scandalise" Harpur; with contributing and collecting money in order to molest him; with threatening to "weary him out of the Vicarage," but more particularly with spreading a report that he had been seen one morning in a state of intoxication. 10th December 1663.—The Court pronounced that Fletcher was guilty of spreading the report attributed to him, and had thereby, <i>ipso facto</i> , incurred the sentence of Greater Excommunication, that he ought to be publicly denounced and compelled to retract the scandalous words used by him, and condemned him in costs. Fletcher gave notice of Appeal from this Decree, but as he did not prosecute it the Court proceeded to tax the costs, and to enjoin penance upon him; he was afterwards publicly excommunicated in the Parish Church of Bolton, and as he did not clear himself of his contumacy was arrested under a Writ of <i>excommunicato capiendo</i> , and imprisoned in Lancaster Gaol. On the 7th June 1664 he appealed from the sentence, and all the proceedings which had followed.	<i>Consistory of Chester.</i>
52	-- ditto	-- John Greenhalgh and Ellen his wife, of the Parish of Bolton, in the County of Lancaster, <i>Appellants</i> ; against Robert Harpur, Clerk, Vicar of the same Parish, <i>Respondent</i> .	-- Consistory of York, on appeal from the Consistory of Chester.	-- ditto	-- ditto	Proceedings discontinued	On the Appeal being brought before the Archbishop's Court an Inhibition was issued to the Court below, and a Commission to absolve Fletcher, pending the Appeal, from the sentence of Excommunication. Subsequently (20th July 1664) Harpur alleged that the Appeal had not been prosecuted in due time, and he prayed that it might be declared deserted. This allegation was admitted for proof, and (26th August 1664) the Court rejected an application on behalf of Fletcher for Letters Supplicatory to the King to obtain his release from Prison, and for a Monition to the Court below for the transmission of the Process. On the 14th October 1664 the Court decreed the Cause to be remitted. In the meantime Fletcher had appealed to the King in Chancery (<i>i. e.</i> to the High Court of Delegates) against the rejection of his prayer for the Letters Supplicatory and Monition for process.	<i>Consistory of York.</i>
53	Commission of Appeal, dated 18th January 1664-5, brought in 28th January 1664-5.	-- William Duncke, of the Parish of Hawthurst, in the County of Kent and the Province of Canterbury, Clothier, <i>Appellant</i> ; against Jonathan Pleydell, Clerk; Henry Courthopp and Thomas Fuller, Churchwardens; and Thomas Page and Nathaniel Pix, Questmen (or Sidesmen), of the same Parish, <i>Respondents</i> .	-- Archies, on appeal from the Archdeacon of Canterbury.	-- Correction of Parishioner for absenting himself from his Parish Church, &c.	Sir Matthew Hale, Knight, Chief Baron of the Exchequer. Sir Thomas Twissden, Knight, Justice of Common Pleas. *Sir Christopher Turner, Knight, Baron of the Exchequer. Sir Richard Rainsford, Knight, Baron of the Exchequer. *Sir William Merick, Knight, LL.D., Master of the Prerogative Court of Canterbury. *Sir Mondeford Bramston, Knight, LL.D. (John) Mylles - } Doctors *Thomas Read - } of (Edward) Alderne - } Laws.	-- Decree of Court of Archies affirmed, and cause remitted, with costs.	-- Duncke amongst others had been presented by the Churchwardens for not coming to his Parish Church, and was ordered to do so in future, and to certify on a given day that he had obeyed the order. In the meantime he was again presented by the Minister, Churchwardens, and Sidesmen on the same charge, as well as for having three children unbaptised, the youngest of whom was nine years old, and for not having for the space of two years partaken of the Lord's Supper. On being questioned by the Court, Duncke said that he did not know what the Form of the Church of England was, but he conceived that his children had all been baptized "according to the form that then was." He was then ordered to produce a certificate of their baptism on the next Court day, and not having done this, was decreed to be excommunicated (4th March 1663-4).	<i>Archdeacon's Court.</i>

Archies.

The Court affirmed the Decree of the Court below, remitted the Cause, and condemned Duncke in costs (13th December 1664).

Delegates.

14th July 1666.—The Court pronounced sentence in *penam* against the Appeal, with costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O D S E R V A T I O N S.
54	Commission of Appeal, dated 12th October 1667, brought in 25th October 1667.	- - Henry Jackson, Clerk, of the Parish of Inckberrow, in the County and Diocese of Worcester, <i>Appellant</i> ; Margaret, Widow of John Hobday, <i>alias</i> Lacy, late of the Parish of Feckenham in the same Diocese, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of Worcester.	- - Correction of Clerk for Defamation, &c.	Sir Leoline Jenkins, Knight, LL.D. (Sir William) Merick (Knight), LL.D. (Master of the Prerogative Court of Canterbury). *Sir Robert Wyseman, Knight. *Sir William Turner, Knight. *Sir Justin Lewyn, Knight. *Sir Thomas Crofts, Knight.	- - Sentence of Court of Arches reversed.	21 June 1670	Consistory Court. - - This was a criminal prosecution or "Cause of Correction" in which "the office of Judge was promoted" against Jackson by John Hobday, <i>alias</i> Lacy. The suit was instituted in 1664. Jackson was charged with having made defamatory statements against Hobday and his children, and having thereby, under one of the Provincial Constitutions of Canterbury, incurred the penalty of the Greater Excommunication; also with having intruded into the Cure of Souls of the Parish of Feckenham, and having there preached and administered the Sacraments without the license of the Ordinary. Jackson denied the charges, and subsequently brought in an allegation taking exception to the character of the promotor's witnesses. The Court, however, on the 16th November 1665, pronounced that the charge of Defamation had been proved, that Jackson had thereby incurred the penalty imposed by the Provincial Constitution article in the cause, had violated the Ecclesiastical Laws and Canons, and ought to be punished accordingly. He was also ordered to make public and canonical retraction, and was condemned in costs. From this sentence he appealed.
								Arches. John Hobday, the original promotor, having died pending the Appeal, it was contended on behalf of Jackson that the suit had died with him, but Margaret Hobday, his widow and executrix, was made a party in his stead. On the 5th July 1667 the Court pronounced against the Appeal, but, apparently by the Respondent's consent, confirmed the Decree of the Consistory Court as to costs only, retaining the cause for the taxation of the costs.
								Delegates. 21st June 1670.—Jackson's Proctor having alleged that the defamatory words in question had been spoken more than two years before the commencement of the suit, and having prayed for the benefit of the Statute of Limitations (21 Jac. 1, c. 16, s. 9), the Delegates reversed the sentence of the Court below, but made no order as to the costs of the Appeal.

-- The suit was promoted by Wilding against Meades for not residing during part of the year in the parish of Woking, or providing a Curate in his place; for neglecting his duties generally; for allowing the Vicarage House to fall into decay, and for not having read the 39 Articles, &c. within the time prescribed by law after his institution and induction. Meades appealed from the non-admission of an allegation tendered by him.

Archies.

2nd May 1668.—The Court pronounced against the Appeal with costs, but retained the cause, and (3rd June 1668) declared that Dr. Meades had not publicly read the Articles in the Parish Church of Woking, and signified his assent thereto within two months after his induction as required by the Act (13th Eliz. c. 12), and that he had thereby subjected himself to deprivation, and deprived him of the Vicarage of Woking accordingly.

Delegates.

11th December 1669.—The Cause was assigned for sentence and informations, but no further proceedings are recorded.

Consistory Court.

-- Sir William Cookes was charged at the promotion of Pooler with adultery and incontinence. He appealed from the refusal of the Consistory Court to allow him time to produce evidence impugning the veracity of some of the witnesses against him (25th October 1666).

Archies.

The Court seems to have allowed Cookes to produce the evidence in question, but ultimately (2nd December 1668) pronounced that the charge of adultery had been proved, that Sir William Cookes ought to be punished, and condemned him in costs.

Delegates.

How the case ended does not appear. No proceedings are recorded after the 22nd June 1672.

Proceedings discontinued

Sir Thomas Twysden, Knight,
Justice of Common Pleas.
Sir Christopher Turner, Knight,
Baron of Exchequer.
Sir John Archer, Knight, Justice
of King's Bench.
Sir William Wyld, Knight, Justice
of King's Bench.
(Sir Leoline) Jenkins (Knight)
(Judge of the High Court of
Admiralty, &c.) Merick } Doctors
(Sir William) Merick } of
— Lewyn — } Laws.
(Timothy) Baldwyn — }
(John) Clerke — }

-- Correction of
Clerk for non-resi-
dence, not repairing
parsonage, neglect
of duty, &c.

-- Archies, on appeal
from the Consistory
of Winchester.

-- James Meades, S.T.P.,
Perpetual Vicar of the
Parish of Woking, in
the County of Surrey, and
deaconry of Winchester,
Diocese of Winchester,
and Rector of Pepper
Harrow, in the same
Diocese, *Appellant*;
William Wilding, of the
Parish of Woking, Gentle-
man, *Respondent*.

Proceedings discontinued

Humphrey, Bishop of London -
Walter, Bishop of Oxford.
John, Bishop of Rochester.
Sir John Kelyng, Knight, Chief
Justice of Common Pleas.
Sir Thomas Twysden, Knight,
Justice of Common Pleas.
Sir Christopher Turner, Knight,
Baron of Exchequer.
Sir Thomas Tyrrell, Knight, Justice
of King's Bench.
Sir John Archer, Knight, Justice of
King's Bench.
(Sir William) Merick } Doctors
(Knight) - } of
— Lewyn - } Laws.
(Edward) Alderne - }
(David) Budd - }
(Thomas) Exton - }
(Richard) Lloyd - }

-- Correction of
Layman for Immo-
rality.

-- Archies, on appeal
from the Consistory
of Worcester.

-- Sir William Cookes,
Bart., of Norgrove, in the
Parish of Feckenham and
Diocese of Worcester,
Appellant;
John Pooler, Notary
Public and Proctor of
the Consistory Court of
Worcester, *Respondent*.

Commission of
Appeal, dated
11th Decem-
ber 1668,
brought in
6th February
1668-9.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
57	Commission of Appeal, dated 17th March 1668-9, brought in 26th March 1669.	- - Simon Robson, of Steeple Ashton, in the County of Wilts, and Diocese of Salisbury, <i>Appellant</i> ; against Thomas White, and Ann, Wife of John Harris, of the same Parish, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Salisbury.	- - Correction for Immorality.	(Sir Leoline) Jenkins (Knight), LL.D. (Judge of the High Court of Admiralty). - Lewin - } (Thomas) Crofte - } <i>Doctors</i> (Edward) Alderne - } <i>of</i> (David) Budd - } <i>Laws.</i> (Thomas) Exton - }	Proceedings discontinued	-	Consistory Court. - - The suit was promoted by Robson against White and Harris, who were charged with having committed adultery, 6th November 1667. The Court pronounced that White and Harris had, by their scandalous conduct, caused a common report and suspicion that they had committed adultery together, and sentenced them to be canonically corrected by the censures of the Church, in order that they might abstain from such conduct in future, and condemned them in costs. They were then cited to have penance imposed upon them. White did not appear, but notice was given in Steeple Ashton Church, by the officiating minister, that Harris was about to make her canonical purgation (<i>sua quartâ manu vicinorum et coequalium suorum</i>); and on the 18th of February 1667-8 she appeared in Court with three of her neighbours as compurgators, and declared on oath that she had not committed adultery with White. The three compurgators also made oath that they believed that she had sworn truly, and was innocent of the charge. The judge then pronounced that Harris had sufficiently and canonically purged herself, and was innocent of the charge; restored her, so far as he could, to her former good fame, and decreed letters testimonial thereof, but warned her not to be in company with White, except in church or in the market-place. Robson appealed to the Arches against the admission of Harris to make purgation, the non-imposition of penance upon her, and her dismissal after purgation from further observance of justice. Arches. 15th February 1668-9.—The Court affirmed the decree of the Court below, remitted the cause, and condemned Robson, the Appellant, in costs. Delegates. There is no record of any proceedings before the Delegates after the 26th October 1669.

58	Commission of Appeal, dated 9th February 1668-9, brought in 6th May 1669.	Archies	-- Theophilus Hart, Clerk, Rector of Wapenham, in the County of Northampton, and Diocese of Peterborough, <i>Appellant</i> ; John Carey, of Pauland Berry, in the same County and Diocese, <i>Respondent</i> .	-- Correction of Clerk for Immorality, disaffection to Church of England, &c.	Humphrey, Bishop of London Herbert, Bishop of Hereford. Walter, Bishop of Oxford. John, Bishop of Chester. Sir John Keyling, Knight, Chief Justice of Common Pleas. Sir John Vaughan, Knight, Chief Justice of King's Bench. Sir Thomas Tyrrell, Knight, Justice of King's Bench. Sir William Wild, Knight, Justice of King's Bench. (Sir Leoline) Jenkins (Knight), LL.D. (Judge of the High Court of Admiralty). (Timothy) Baldwin - } Doctors (John) Clerke - } of Laws.	Proceedings discontinued	-- The suit was promoted by Carey against Hart in the Court of Archies. The proceedings commenced in June 1667. Hart was charged with adultery, fornication, and incontinence. It was also alleged that he was disaffected to the laws, government, and discipline of the Church of England, and that a suit was then pending against him before the Ordinary. In support of this charge the promoter subsequently brought in a copy of a sentence of the Consistory Court of Peterborough, dated the 20th November 1667, by which Hart had been suspended for not conforming, in the exercise of his clerical office, to the rites of the Church of England, <i>eg.</i> for not baptising infants with the sign of the Cross, not catechising the young, and for omitting many parts of the services prescribed by the Book of Common Prayer. 2d December 1668.--The Court pronounced that the charges had been proved, that Hart ought to be corrected and punished, and condemned him in costs.
59	Commission of Appeal, dated 18th November 1668, brought in 20th November 1669.	Archies	-- Henry Jackson, Clerk, pretended vicar of the parsonal Vicarage of and Parish Church of Inkbarrow, in the County and Diocese of Worcester, <i>Appellant</i> ; Henry Muggs, Clerk, <i>Respondent</i> .	-- Deprivation of Clerk for Simony.	Sir John Kelyng, Knight, Chief Justice of Common Pleas. *Sir Richard Rainsford, Knight, Justice of Common Pleas. †Sir Thomas Tyrrell, Knight, Justice of King's Bench. †Sir William Wyld, Knight, and Baronet, Justice of King's Bench. †Sir Leoline Jenkins, Knight, LL.D., Judge of the High Court of Admiralty. †Sir Justin Lewyn, Knight } Doctors †David Budd - } of *Thomas Exton - } Laws. †Richard Lloyd - } †Signed the sentence on the grievance. *Signed the sentence in the principal cause.	-- On the grievance. Sentence for the Appellant, with costs, and cause retained. <i>In the principal cause.</i> Sentence against the Appellant, with costs.	28 Feb. 1670-1

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
61	Commission of Appeal, dated January 1669-70, brought in 13th January 1669-70.	-- Benjamin Woodbridge, Clerk, of the Parish of Burecleave, in the County of Southampton and Diocese of Winchester, <i>Appellant</i> ; John Holloway, of the City and Diocese of Oxford, Notary Public, and Edward Masters, LL.D., Official of the Archdeacon of Berks, <i>Respondents</i> .	-- Archies, on Appeal from the Court of the Archdeacon of Berks.	-- Correction of Parishioner for not receiving the Holy Communion.	*Humphrey, Bishop of London *John, Bishop of Rochester. *John, Bishop of Chester. *Sir John Vaughan, Knight, Chief Justice of King's Bench. Sir Richard Rainsford, Knight, Justice of Common Pleas. *Sir William Wyde, Knight and Baronet, Justice of King's Bench. *Sir Leoline Jenkins, Knight, LL.D., Judge of the Admiralty. (Sir Robert) Wiseman (Knight). (Sir William) Turner (Knight). Lewin - } Doctors - } of *David Budd - } Laws. *Thomas Exton - }	-- Decree of Court of Archies affirmed, and cause remitted, with costs.	3 July 1671	<i>Archdeacon's Court.</i> -- Woodbridge had been presented at the Archdeacon's Visitation by the Churchwardens of Childrey (a parish in the Deanery of Abingdon, and Archdeaconry of Berks, in which, as it seems, he was then resident) for not having received the Holy Communion at Easter. He appeared in the Archdeacon's Court him from the Parish, submitted himself to the judgment of the Court, which ordered him to communicate at the next administration, and to certify on the following Court day that he voluntarily, and, after stating that he obeyed the order of the Court, he was declared contumacious, and decreed to be excommunicated; whereupon he appealed. The Appeal went direct to the Court of Archies. <i>Archies.</i> At the commencement of the proceedings Woodbridge was absolved, but was afterwards cited to appear and to take the usual oath <i>de parando juri</i> , &c. On the day appointed he did not appear, his Proctor alleging that Woodbridge had for several years been resident at Burecleave, and had never been a parishioner of Childrey or subject to the jurisdiction of the Archdeacon of Berks, and that therefore the excommunication was void, and that he did not require absolution. The Court, however, pronounced Woodbridge contumacious for not appearing, remitted the cause, and condemned him in costs (1 December 1669). <i>Delegates.</i> 3rd July 1671.—The Delegates pronounced against the Appeal, affirmed the Decree of the Court of Archies, and remitted the cause, with costs.
62	Commission of Appeal, dated 9th June 1670, brought in 18th June 1670.	-- Robert King, D.C.L., Commissary of the Archdeacon of Suffolk, in the County of Suffolk, Henry Fauconberg, D.C.L., and John Burrows, M.A., his Surrogates, <i>Appellants</i> ; William Maxey, Clerk, Rector of Shotley, in the County of Suffolk and Diocese of Norwich, <i>Respondent</i> .	-- Archies, on Appeal from the Archdeacon of Suffolk's Court.	-- Correction of Clerk for drunkenness, neglect of duty, &c.	(Sir Robert) Wiseman (Knight), LL.D. Lewin - } (John) Mills - } Doctors (David) Budd - } of (Timothy) Baldwyn - } Laws. (Richard) Lloyd - }	-- Proceedings discontinued.	- - -	<i>Archdeacon's Court.</i> -- It was charged against Maxey that on the 5th December 1669, being the day before one of the fast days appointed by the King at the time of the Great Plague "for removing God's judgments from the kingdom," he sat up tipping in a tavern, and was thereby prevented from performing service on the following day. Maxey denied the charge of tipping, and stated that he had on the day in question attended a Court held by the Archdeacon at a distance of 15 miles from Shotley, and being more than 50 years of age, and the roads at that time of the year being scarce passable, could not get home in a day, and "durst not adventure to lodge by the way in regard to the contagion being then hott at Ipswich and much dispersed in other towns and places through which he was necessarily to pass." He also produced strong testimony to his character from the Churchwardens and other inhabitants of his Parish, and from neighbouring Magistrates and Ministers. Maxey appealed from the Archdeacon's Court on the ground that he could not obtain a final sentence, Dr. King never having attended in person, and his Surrogates, one after another, having withdrawn before the case was fully heard, notwithstanding an order from the Bishop that sentence should be pronounced. He also complained that he had been put to great expense in journeying to and from the Court. The Appeal went direct to the Court of Archies. <i>Archies.</i> 1st December 1669.—The Court dismissed Maxey from the proceedings instituted against him, enjoined perpetual silence upon the promoters, and condemned them in costs. <i>Delegates.</i> There is no sentence, nor any record of proceedings after the 15th November 1670.

63	Commission of Appeal, dated 20th October 1670, brought in 23rd November 1670.	-- Thomas Jones, Clerk, Rector of the Parish of Llandyrnog, in the County of Denbigh and Diocese of Bangor, <i>Appellant</i> ; against Edward Jones and William Rudge, Churchwardens, of the same Parish, and Percy Lewis, Registrar of the Consistory Court of Bangor, and the Rev. Father in Christ, Robert, Bishop of Bangor, the Judge thereof, <i>Respondents</i> .	-- Arches, on Appeal from the Consistory of Bangor.	-- Correction of Clerk for not reading prayers from accustomed seat.	*Humphrey, Bishop of London *Walter, Bishop of Oxford. *John, Bishop of Rochester. John, Bishop of Chester. Sir John Kelyng, Knight, Justice of Common Pleas. Sir John Archer, Knight, Justice of King's Bench. *Sir Christopher Turner, Knight, Baron of the Exchequer. Sir William Wyld, Knight, Justice of King's Bench. Lewin - *Sir William Child, Knight (David) Budd - Doctors of *John Clark - Laws. *Thomas Pinfold -	-- Sentence of Court of Arches affirmed, and cause remitted, with costs.	19 July 1671	-- The suit was promoted against Jones on the pre-sentment of the Churchwardens of Llandyrnog "for not reading Divine service on Sundays and Holy days in the old, ancient, accustomed, and most convenient place or reading seat." It seems that the then late Bishop of Bangor, who had also been Rector in <i>commendam</i> of the Parish of Llandyrnog, had erected a new stall or reading seat at the east end of the chancel of the parish church. The promoters alleged that, whereas the Bishop had used the new stall only for pronouncing the blessing after service, Jones had used it as the ordinary place for reading the service, instead of the old seat, which was also in the chancel, but nearer, by about a yard and a half, to the nave. Jones replied that the new stall was more conveniently placed for light, and that he had received an order from the Bishop himself condemning the old seat as inconvenient, and further, that he had left the old seat to his Curate in order "that there might be some difference observed as to matter of place between the officiating of the Curate or the Rector." Having been monished to read the prayers in the accustomed place, Jones appeared in Court (10th December 1668), but peremptorily refused to obey the monition. For this the Bishop (14th December 1668) suspended him <i>ab ingressu Ecclesie</i> , and ordered him to show cause why he should not be suspended <i>ab officio</i> . On the 22nd February 1668-9, not having appeared to show cause, Jones was suspended from the exercise of his clerical office.
64	Commission of Appeal, dated 1st February 1670-1, brought in 25th May 1671.	-- Charity Winckle, wife of Captain Richard Winckle, of the Parish of St. Mary Matfellow, or Whitechapel, in the County of Middlesex, <i>Appellant</i> ; against William Wood, Jun., of the same Parish, <i>Respondent</i> .	-- Arches -	-- Correction for Immorality.	Sir John Kelyng, Knight, Chief Justice of Common Pleas. Sir Thomas Twisden, Knight, Justice of Common Pleas. Sir William Moreton, Knight, Justice of Common Pleas. Sir William Wyld, Knight, Justice of King's Bench. Lewin - (David) Budd - Doctors (Richard) Lloyd - of (James) Master - Laws. (John) Clerk - (Richard) Raines -	-- Proceedings discontinued.	-	-- The suit was promoted in the Court of Arches by Wood against Winckle, who was charged with having committed fornication. 4th July 1670.--The Court pronounced that Winckle ought to be punished according to law, and condemned her in costs. <i>Delegates.</i> There is no sentence, nor any record of proceedings after the 8th July 1671.
65	Commission of Appeal, dated 6th June 1671, brought in 1st July 1671.	-- William Wood, <i>Appellant</i> ; against Charity, wife of Richard Winckle, <i>Respondent</i> .	-- Arches -	--	Sir Matthew Hale, Knight, Chief Justice of Common Pleas. Sir Thomas Twisden, Knight, Justice of Common Pleas. Sir William Morton, Knight, Justice of Common Pleas. Sir William Wild, Knight, Justice of King's Bench. Sir Timothy Littleton, Knight, Baron of Exchequer. Sir Hugh Windham, Knight, Baron of Exchequer. Lewin - (David) Budd - (Richard) Allworth - Doctors (Richard) Lloyd - of (James) Master - Laws. (John) Clarke - (Thomas) Pinfold - (Richard) Raines -	-- Proceedings discontinued.	-	-- There is no process extant in this case; but, from evidence given in the last preceding suit, it seems probable that this suit arose out of a countercharge of a similar nature made by Winckle against Wood.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
66	Commission of Appeal, dated 29th January 1671-2, brought in 19th February 1671-2.	-- Thomas Wilson, of the Diocese of Exeter, <i>Appellant</i> ; against Robert Hancock, Clerk, Rector of the Church of St. Martin by Looe, in the County of Cornwall, and Diocese of Exeter, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Exeter.	-- Correction of Clerk for Immorality.	Humphrey, Bishop of London Seth, Bishop of Salisbury. John, Bishop of Rochester. Robert, Bishop of Worcester. Sir Leoline Jenkins, Knight, LL.D. (Judge of the Admiralty). (David) Budd - } Allworth - } Doctors Exton - } of Boucher - } Laws. Low - }	Proceedings discontinued	-	<i>Consistory of Exeter.</i> -- A previous suit had been instituted against Hancock on a similar charge in February 1666-7, when he appeared, and having submitted himself to the jurisdiction of the Court, was enjoined Canonical purgation <i>cum sexta manu vicinorum clericorum suorum</i>. With some difficulty he found four of the neighbouring Clergy to act as Compurgators, who seem to have been accepted as sufficient, and in July 1668 he appeared with them in Court, and solemnly affirmed <i>in verbo sacerdotis ac tanquam in conspectu Dei</i>, that he was altogether innocent of the crime imputed to him. The four Compurgators having in like manner affirmed that they believed his declaration to be true, he was dismissed from further proceedings. The present suit was instituted against Hancock in July 1669 (one James Bargus, a Parishoner, being the original promoter), on a charge of fornication and incontinence, and the process in the previous suit was brought in as part of the evidence. 30th September 1670.—The Court pronounced that Hancock had committed the crime charged against him, declared that he ought to be canonically corrected, deprived him of his living, suspended him from his office (<i>donec aliter visum fuerit</i>), inhibited him from taking part in Divine service under pain of heavier censures, and condemned him in costs. <i>Arches.</i> Shortly after the commencement of the proceedings in this Court a Proctor appeared, and alleged that Bargus, the original promoter, by a collusive arrangement with Hancock, refused to proceed further in the cause; and he prayed, in order that the sentence of the Court below might have due effect, that Wilson might be assigned as "necessary promoter" to defend the Appeal. This was granted, and the case went on. Ultimately (1st December 1671) the Court reversed the Decree of the Court below, so far as it had deprived Hancock, but declared that certain excesses had been proved against him for which he ought to be canonically corrected. <i>Delegates.</i> The Cause was assigned for sentence and informations, but there seem to have been no further proceedings after the 16th April 1673.

Commission of Appeal, dated 20th November 1675, brought in 3rd December 1675.

-- William Lewys, Clerk, S. T. P., Rector of All Hallows on the Wall, in the City of London, *Appellant*; against Christopher Cleeter, of the Parish of St. Mary Magdalene, in the Old Fishery, in the same City, *Respondent*.

-- Correction of Clerk for solemnising marriages, without banns or license.

Sir Richard Rainsford, Knight, Justice of Common Pleas.
Sir William Ellis, Knight, Justice of King's Bench.
*Sir Edward Thurland, Knight, Baron of Exchequer.
(John) Mylles - } Doctors
*William Oldys - } of
*William Trumbull - } Laws.
(Robert) Thompson

-- Decree of Court of Arches affirmed, and cause remitted, with costs.

28 Feb. 1677-8

Commission of Appeal, dated 30th April 1678, brought in 18th May 1678.

-- John Dargavell, Clerk, Vicar of Winsham, in Somersetshire, *Appellant*; against William Langdon, of the same Parish, *Respondent*.

-- Correction of Clerk for Immorality.

*Henry, Bishop of London.
*Nathaniel, Bishop of Durham.
*John Bishop of Rochester.
*Henry Fauconberg - } Doctors
*Richard Raines - } of
-- Perrott - } Laws.
*John Edisbury - }
*Charles Hedges - }

-- Decree of Court of Arches affirmed, and cause remitted, with costs.

25 Nov. 1678

Commission of Appeal, dated 11th February 1678-9, brought in 18th February 1678-9.

-- Philip Havers, Clerk, of Mount Bowers, in the County of Essex and Diocese of London, *Appellant*; against The Reverend Father in Christ, Henry, Lord Bishop of London, *Respondent*.

-- Arches, on Appeal from Court held at Colchester by the Bishop of London during his Visitation.

Nathaniel, Bishop of Durham
*John, Bishop of Rochester.
Seth, Bishop of Salisbury.
Sir Robert Atkins, K.C.B., Justice of King's Bench.
*Sir Thomas Jones, Knight, Justice of Common Pleas.
Francis Bramston, Esq., Baron of the Exchequer.
*Richard Ranes - } Doctors
*Thomas Pinfold - } of
*Henry Fauconberg - } Laws.
-- Perrott - }
*Stephen Brice - }

-- Decree of Court of Arches affirmed, with costs.

14 July 1679

Arches.

2nd December 1678.—After evidence given by Andrewes and others, and comparison of the handwriting of Havers and Andrewes with the entries in the Book of Subscriptions, the Court declared that the charge against Havers had been proved, and revoked the Letters of Priest's Orders and Letters of Institution fraudulently obtained by him, deprived him of the Rectory of Mount Bowers, sentenced him to do salutary penance, and condemned him in costs.

Delegates.

14th July 1679.—The Delegates affirmed the decree of the Court of Arches, retained the cause by consent of the Respondent, and condemned Havers in costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
70	Commission of Appeal, dated 13th July 1680, brought in 22nd July 1680.	- - The Venerable Joseph Craddock, Knight, LL.D., Commissary of the Bishop of Chester in the Archdeaconry of Richmond, and William Drummond, Notary Public, <i>Appellants</i> ; against John Appleby, of Thorpe Row, in the Parish of Smeaton, <i>Respondent</i> .	- - Consistory of York, on Appeal from the Commissary Court of the Bishop of Chester, in the Archdeaconry of Richmond.	- - Correction of Parishioners for not attending Church, &c.	*Thomas Pinfold - *Henry Fauconberg - *William Trumbull - (William) Oldys - (John) Edisbury - *Fisher Littleton - - } Doctors - } of - } Laws.	- - Decree of Consistory Court affirmed, and cause remitted, with costs.	27 Feb. 1681-2	<i>Archdeacon's Court.</i> - - The suit was promoted against Appleby and his wife, on the presentation of the Churchwardens of Smeaton, for not repairing to their Parish Church on Sundays and Holy days, and for not receiving the Holy Communion at Easter last. 5th June 1675.—Appleby not having appeared was pronounced contumacious, and excommunicated, and a writ was afterwards decreed for his apprehension. Appleby appealed from the sentence of excommunication and from the refusal, as he alleged, of the Judge of the Archdeacon's Court to absolve him therefrom, on his offering to take the usual oath, <i>de parando juri et stando mandatis ecclesiae</i> , and further from his refusal to grant him copies of the presentment, citation, and excommunication. <i>Consistory Court.</i> Craddock and Drummond appeared under protest, contending, it would seem, that the Appeal lay not to the Archbishop of York, but to the Bishop of Chester; but evidence was produced by Appleby that Thorpe Row, where he resided, was, for ecclesiastical purposes, distinct from the rest of the Parish of Smeaton, and within the Diocese of York. 2 April 1680.—The Court pronounced for the Appeal, and decreed Appleby to be absolved from the sentence of excommunication, and condemned Craddock and Drummond in costs.
71	Commission of Appeal, dated 7th January 1680-1, brought in 11th January 1680-1.	- - Catharine Rawson, alias Bigor, wife of Gilbert Rawson, of Symon's Court, Donabrook, in Queen's County, <i>Appellant</i> ; against The Venerable John Fitzgerald, Clerk, Archdeacon of Dublin, and Francis Whitestone, Notary Public, <i>Respondents</i> .	- - Consistory of Dublin, on Appeal from the Court of the Archdeacon of Dublin.	- - Correction of Parishioner suspected of Adultery.	Sir Thomas Jones, Knight, Justice of Common Pleas, Sir William Dolben, Knight, Justice of Common Pleas, Sir Edward Atkins, Knight, Baron of the Exchequer, (William) Trumbull - (Thomas) Pinfold - (Richard) Raimes - (Robert) Pepper - (Charles) Hedges - (Henry) Newton - - } Doctors - } of - } Laws.	- - Appeal abandoned	-	<i>Archdeacon's Court.</i> - - The suit was promoted on the presentation of the Churchwardens of Donabrook against Catharine Rawson, as suspected of adultery with Captain Richard Coote, 10th February 1678-9. A document was put in on behalf of Mrs. Rawson, objecting to the case being tried by the Archdeacon on three grounds: (1), that she was not within his jurisdiction; (2), that he was proceeding in a spirit of animosity; and (3), that he had used scandalous words of her, asserting that she was a person of lewd life, &c. By direction of the Court, arbitrators were appointed on each side, but they came to no decision, and the Archdeacon then assumed jurisdiction, and issued several citations against Mrs. Rawson, who thereupon appealed to the Archbishop's Court. <i>Consistory of Dublin.</i> No libel having been brought in by the Appellant, the Court pronounced against the Appeal, remitted the cause, and condemned the Appellant in costs (19 June 1680). Upon this Mrs. Rawson appealed again. <i>Delegates.</i> The usual inhibition and citation were issued, but there seem to have been no further proceedings.

72	- - Richard Coote, of the City and Archdeaconry of Dublin, Esquire, <i>Appellant</i>; against the Venerable John Fitzgerald, Clerk, Archdeacon of Dublin, and Francis Whitestone, Notary Public, <i>Respondents</i>. The Commission of Appeal, dated 7th January 1680-1, brought in 11th January 1680-1.	- - Consistory of Dublin, on Appeal from the Court of the Archdeacon of Dublin.	- - Correction of Layman suspected of Adultery.	Sir Thomas Jones, Knight, Justice of Common Pleas. Sir William Dolben, Knight, Justice of Common Pleas. Sir Edward Atkins, Knight, Baron of the Exchequer. (William) Trumbull (Thomas) Pinfold (Richard) Raines (Robert) Pepper (Charles) Hedges (Henry) Newton	- - Appeal abandoned	- This was a similar suit <i>mutatis mutandis</i> to the foregoing. Coote appeared under protest, and pleaded that he was not within the Archdeacon's jurisdiction, as he lived in the Diocese of Ossory, not in that of Dublin. This plea being rejected by the Court, he gave notice of appealing, but neither prosecuting the Appeal, nor appearing again, he was pronounced contumacious (14th Nov. 1679), and the Court on the same day declared that the charges against him had been proved. Upon this Coote appealed again.	
73	- - Francis Salisbury, Clerk, <i>Appellant</i>; against Benjamin Bartlett, Robert Russell, James Harrison, and Robert Spillman, <i>Respondents</i>. The Commission of Appeal, dated 3rd February 1680-1, brought in 20th April 1681.	- - Arches	- - Correction of Clerk	*Sir Thomas Jones, Knight, Justice of Common Pleas. *Sir Hugh Wyndham, Knight, Justice of King's Bench. *Sir Edward Atkins, Knight, Baron of the Exchequer. (Thomas) Pinfold - *Henry Fauconberg - (John) Edisbury - *Charles Hedges - (Robert) Pepper -	- - Decrees of Courts below varied, and Appellant condemned in costs.	<i>Delegates.</i> Coote appealed to the Delegates, but as in the last preceding case the Appeal seems to have been abandoned. - - The suit was promoted against Salisbury by Bartlett, &c., but there is no process, nor anything in the Minutes (except that of the Delegates' sentence) to show the nature of the cause or of the Decree of the Archies Court, from which Salisbury appealed. 9th December 1681.—The Delegates affirmed the Decrees respectively pronounced in the Courts below, so far as they had enjoined penance upon Salisbury for the crimes specified in the articles, but reversed the remainder of the Decrees. They further declared that Salisbury was guilty of several crimes and misdemeanours attested against him in the first instance, and ordered him "to make a recantation sermon of the debauchery libellate or articulate" upon Sunday the 18th of December in the Parish Church of Havering in Sussex, in the morning, and immediately after that in the desk to read publicly the penance enjoined in the schedule, and to certify under the hands of the Churchwardens and six of the Parishioners the performance thereof by the first Court day of the next Term. The Court also condemned Salisbury in costs. 9 Dec. 1681	
74	- - Edward Hirst, of the Parish of St. George, in the City and Archdeaconry of Canterbury, <i>Appellant</i>; against Joseph Roberts, of the Parish of All Saints, in the same City, Gentleman, <i>Respondent</i>. The Commission of Appeal, dated 13th January 1681-2, brought in 28th January 1681-2 (1st Appeal).	- - Arches, on Appeal from the Court of the Archdeacon of Canterbury.	- - Correction of Parishioner for not attending Church, &c.	*Sir Thomas Jones, Knight, Justice of Common Pleas. Sir William Dolben, Knight, Justice of Common Pleas. *Sir Edward Atkins, Knight, Baron of the Exchequer. (William) Trumbull (Richard) Raines *Henry Fauconberge *William Oldys *John St. John	- - Decree of Court of Arches affirmed, and cause remitted, with costs.	<i>Archdeacon's Court.</i> The suit was promoted by Roberts against Hirst for absenting himself from Divine Service at his Parish Church, and not receiving the Holy Communion. Hirst pleaded, amongst other things, that the offences charged were offences against certain Statutes, the construction of which belonged to the Temporal Courts; but the objection seems to have been overruled. He appealed from an order of the Court (5th July 1676), admitting an allegation brought in by him, but concluding the cause, thereby allowing him no time for its proof. 7 July 1682	<i>Arches.</i> 15th July 1676.—It was objected for the Respondent that Hirst was "factious," and that his Appeal could not be admitted until he undertook to observe the forms, rites, and ceremonies of the Church of England and subscribed to the Three Articles (as required by the 98th Canon), but the objection was overruled. 17th June 1681.—Nothing having been done on either side since the 6th July 1677 (when the Court had assigned the Appellant to "propound all things"), Roberts prayed that the Appeal might be declared deserted. An allegation to the contrary was brought in by Hirst, but the Court, on the 8th December 1681, pronounced the Appeal to be deserted, remitted the cause, and condemned Hirst in costs. <i>Delegates.</i> Upon this Hirst appealed to the Delegates, who (7th July 1682) affirmed the Decree appealed from, and remitted the cause, with costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
75	Commission of Appeal, dated 17th November 1682, brought in 24th November 1682. (2nd appeal).	-- Edward Hirst, <i>Appellant</i> ; Joseph Roberts, <i>Respondent</i> .	-- Arches, on Appeal from Court of Archdeacon of Canterbury.	-- Correction of Parishioner for not attending Church, &c.	*Sir Thomas Jones, Knight, Justice of Common Pleas. *Sir William Dolben, Knight, Justice of Common Pleas. *Sir Edward Atkins, Knight, Baron of Exchequer. *Henry Fauconberge *William Oldys *John St. John *Robert Thompson *Charles Hedges *Robert Pepper } Doctors of Laws.	-- Appeal pronounced against, and cause remitted, with costs.	15 Feb. 1682-3	<i>Archdeacon's Court.</i> -- On the cause being remitted to the Archdeacon's Court, Hirst tendered an allegation stating that Roberts was suing him on the same charges in the Court of King's Bench, and that by the Laws of the Realm no person could be prosecuted both in the Temporal and Spiritual Courts for one and the same offence. 11th October 1682.—The Judge refused to admit the allegation as being the same in effect as one which had been previously admitted, but as it appeared that the first eleven months of the time during which Hirst was charged with absenting himself from his Parish Church were included in the charges preferred against him in the Temporal Court, ordered that he should be no further prosecuted in the Ecclesiastical Court for absenting himself from Church during that time, but stated that further than this he did not think that the prosecution of the cause ought to cease. He then pronounced that the charge had been proved, that salutary penance ought to be enjoined upon Hirst, and condemned him in costs. Hirst appealed both from the rejection of his allegation and from the sentence. <i>Arches.</i> 20th October 1682.—Roberts again objecting that Hirst was "factious," the Judge refused to decree anything at the suit of Hirst until he should come and promise to observe the contents of the 93th Canon, and should subscribe the Three Articles named therein. Upon this Hirst appealed again. <i>Delegates.</i> 15th February 1682-3.—The Delegates pronounced against the Appeal, and remitted the Cause, with costs.
76	Commission of Appeal, dated 13th January 1681-2, brought in 28th January 1681-2.	-- John Durant, of the Parish of St. Paul, near the City of Canterbury, <i>Appellant</i> ; Joseph Roberts, of the Parish of All Saints, in the same City, Gentleman, <i>Respondent</i> .	-- Arches, on Appeal from the Court of the Archdeacon of Canterbury.	-- Correction of Parishioner for not attending Church, &c.	*Sir Thomas Jones, Knight, Justice of Common Pleas. Sir William Dolben, Knight, Justice of Common Pleas. *Sir Edward Atkins, Knight, Baron of Exchequer. (William) Trumbull (Richard) Raines *Henry Fauconberge *William Oldys *John St. John } Doctors of Laws.	-- Appeal pronounced against, and cause remitted, with costs.	7 July 1682	-- The charges, defence, and all the proceedings in this cause were precisely similar to those in the last preceding suit, except that there seems to have been no second Appeal.

- - In this case the office of Judge was promoted against Madam Gounter by the rector and churchwardens of Racton for not keeping the chancel of the parish church in a proper state of repair. They alleged that this was incumbent upon her as the possessor of Racton House in that parish, and, as such, having by ancient custom the exclusive right of sitting and burying in the chancel. Gounter replied that her ancestors having originally built the church, had reserved the right of burial in the chancel, but denied that she possessed the exclusive right to sit there, and contended that it was the duty of the rector to repair the chancel.

17th December 1680.—The Court dismissed Gounter from the suit, and condemned Buckenham and Crowch in costs.

Archies.

1st December 1681.—The Court pronounced against the appeal, remitted the cause, and condemned Buckenham and Crowch in costs.

Delegates.

11th July 1682.—The Delegates declared that Catharine Gounter's late husband, and his father, had from time to time (as proprietors of Racton House) duly repaired the chancel of the parish church, and that Catharine Gounter was bound to do so, and admonished her accordingly. They also condemned her in costs.

- - Gounter subsequently obtained a Commission of Review, which reversed the decree of the former Commission of Delegates, affirmed the decrees of the Consistory of Chichester and of the Archies, and condemned Buckenham and Crowch in costs.

Commission of Review, dated 13th January 1681-2, brought in 23th January 1681-2.	- - John Buckenham, Clerk, Rector of the Parish of Racton, in the County of Sussex and Diocese of Chichester, and John Crowch, Churchwarden of the same Parish, <i>Appellants</i> ; Catharine Gounter, of the same Parish, Widow, <i>Respondent</i> .	- - Arches, on appeal from the Consistory of Chichester.	- - Suit against Parishioner for not repairing chancel of parish church.	*Sir Thomas Jones, Knight, Justice of Common Pleas. *Sir William Dolben, Knight, Justice of Common Pleas. Sir Edward Atkins, Knight, Baron of the Exchequer. *William Trumbull - } *Henry Fancenberg - } <i>Doctors</i> *Charles Hedges - } <i>of</i> *Stephen Brice - } <i>Laws.</i> Fisher Littleton - } *John St. John - }	- - Decree of Court of Archies reversed, with costs.	11 July 1682	- - In this case the office of Judge was promoted against Madam Gounter by the rector and churchwardens of Racton for not keeping the chancel of the parish church in a proper state of repair. They alleged that this was incumbent upon her as the possessor of Racton House in that parish, and, as such, having by ancient custom the exclusive right of sitting and burying in the chancel. Gounter replied that her ancestors having originally built the church, had reserved the right of burial in the chancel, but denied that she possessed the exclusive right to sit there, and contended that it was the duty of the rector to repair the chancel.
Commission of Review, dated 17th November 1682, brought in 24th December 1682.	- - Catharine Gounter; against John Buckenham and John Crowch.	- - - - -	- - - - -	John, Earl of Bridgewater Richard, Earl of Thanet. *Henry, Earl of Clarendon. Robert, Earl of Aylesbury. *Henry, Bishop of London. Nathaniel, Bishop of Durham. *Peter, Bishop of Ely. *Sir Thomas Raymond, Knight, Justice of Common Pleas. *Sir Job Charleton, Knight, Justice of King's Bench. *Sir William Gregory, Knight, Baron of the Exchequer. *Thomas Pinfold - } (Robert) Thompson - } <i>Doctors</i> *Henry Newton - } <i>of</i> *George Branstoun - } <i>Laws.</i>	- - Decree of former Commission of Delegates reversed, with costs.	23 May 1683	- - Gounter subsequently obtained a Commission of Review, which reversed the decree of the former Commission of Delegates, affirmed the decrees of the Consistory of Chichester and of the Archies, and condemned Buckenham and Crowch in costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
79	Commission of Appeal, dated 19th February 1682-3, brought in 16th March 1682-3.	-- William Clewer, S.T.P., Vicar of Croydon, in the County of Surrey, and Deanery of Croydon, in the peculiar jurisdiction of the Cathedral Church of Canterbury, <i>Appellant</i> ; Henry Pullen, of Croydon aforesaid, <i>Respondent</i> .	-- Arches --	-- Correction of Clerk for neglect of duty, &c.	Henry, Bishop of London -- Nathaniel, Bishop of Durham. John, Bishop of Rochester. Peter, Bishop of Ely. William, Bishop of Peterborough. Sir Hugh Windham, Knight, Justice of King's Bench. Sir Thomas Jones, Knight, Justice of Common Pleas. Sir Job Charlton, Knight, Justice of King's Bench. Henry Fauconberg -- } Doctors Thomas Pinfold -- } of Robert Pepper -- } Laws. The same, with the addition of -- (Charles) Hedges -- } Doctors and (John) St. John -- } Laws.	-- No sentence was pronounced by this Commission.	-	<i>Arches.</i> -- The suit was promoted by Pullen. Dr. Clewer was charged with neglecting his ministerial duties, viz., preaching, reading the prayers, baptizing infants, and burying the dead, and with being a litigious quarrelling person, &c. He had on a former occasion been presented for similar offences, and admonished to attend to his duties under pain of suspension. He was also under sentence of suspension for having absented himself from a Visitation held by the Archbishop at Croydon. On the institution of the present suit he prayed to be absolved from this suspension, which, after the Articles had been brought in, was done; but subsequently, on a Petition from some of the Parishioners of Croydon, representing that Clewer still neglected his duties, and praying that a Curate might be appointed to perform them, the Court again suspended him, <i>pendente lite</i> , and sequestered the profits of the benefice, to be applied by the Churchwardens in providing a Curate to be approved by the Archbishop. Ultimately (15th February 1682-3) the Court pronounced that the charges had been proved, sentenced Clewer to be deprived, and condemned him in costs. From this sentence he appealed.
	First Commission of Adjuncts, dated 23rd April 1683, brought in 4th May 1683.	-- Ditto	--	--	*Henry, Bishop of London -- Nathaniel, Bishop of Durham. *Peter, Bishop of Ely. *William, Bishop of Peterborough. *Sir George Jeffries, Knight and Baronet, Chief Justice of Common Pleas. *Sir Hugh Windham, Knight, Justice of King's Bench. *Sir Job Charlton, Knight, Justice of King's Bench. *Sir Francis Wythens, Knight, Justice of Common Pleas. *Sir Richard Hollaway, Knight, Justice of Common Pleas. *Sir Thomas Euton, Knight *Henry Fauconberg -- } Doctors *Thomas Pinfold -- } of (Robert) Pepper -- } Laws. *Charles Hedges -- } (John) St. John -- } (George) Bramston -- }	-- Decree of Court of Arches affirmed, and cause remitted, but without cost.	11 June 1684.	<i>Delegates.</i> In the course of the proceedings Clewer prayed to be allowed to defend his cause in <i>forma pauperis</i> , which, after some time, the Court permitted. Eventually, after two Commissions of Adjuncts (for what reason does not appear) had been issued, the Delegates affirmed the Decree of the Court of Arches, but made no order as to costs (11th June 1684).
	Second Commission of Adjuncts, dated 12th March 1683-4, brought in 16th April 1684.	-- Ditto	--	--	*Henry Fauconberg -- } Doctors *Thomas Pinfold -- } of *Robert Pepper -- } Laws. *Henry Newton -- }	-- Decree of Court of Arches varied.	22 May 1683	-- The suit seems to have been promoted in the Consistory of Rochester by Knightbridge against Kemp, for the reformation of his manners, but on what precise ground does not appear. It seems that Kemp appealed to the Delegates from a sentence of Deprivation pronounced against him in the Court of Arches, the Commission of Appeal, but it seems to have been overruled. The Delegation pronounced by the Court below, but suspended his good life and conversation. They also admonished Kemp ab officio, " <i>usque ad condignam emendacionem</i> ," and ordered him to bring a certificate of his good life and conversation. They also admonished him to live quietly with his wife for the future, which he undertook to do, and they condemned him in costs in all the Courts. There is no Process in this case.
80	Commission of Appeal, dated 23rd February 1682-3, brought in 27th March 1683.	-- Thomas Kemp, Clerk, Rector of Fox Earth, in the County of Essex, <i>Appellant</i> ; John Knightbridge, <i>Respondent</i> .	-- Arches, on appeal from the Consistory of Rochester.	Correction of Clerk	*Henry Fauconberg -- } Doctors *Thomas Pinfold -- } of *Robert Pepper -- } Laws. *Henry Newton -- }	In this case a Caution or Cavat had been entered by Knightbridge against the issue of the Commission of Deprivation pronounced by the Court below, but suspended Kemp ab officio, " <i>usque ad condignam emendacionem</i> ," and ordered him to bring a certificate of his good life and conversation. They also admonished him to live quietly with his wife for the future, which he undertook to do, and they condemned him in costs in all the Courts. There is no Process in this case.		

Commission of Appeal, dated 30th April 1683, brought in 6th June 1683.	-- Anne Collett, Mary Collett, and Elizabeth Collett, Minors, by their Guardians, <i>Appellants</i> ; David Tanner, Notary Public, a Proctor of the Consistory Court of Gloucester, and John Collett, of Upper Slaughter, in the Diocese of Gloucester, and Mary, his wife, <i>Respondents</i> .	-- Arches, on appeal from the Consistory of Gloucester.	-- Correction for incestuous marriage.	*Henry, Bishop of London John, Bishop of Rochester. Peter, Bishop of Ely. Sir Thomas Jones, Knight, Justice of Common Pleas. Sir Thomas Raymond, Knight, Justice of Common Pleas. *Sir Creswell Levins, Knight, Justice of King's Bench. *Henry Fauconberg - } Doctors *Thomas Pinfold - } of (Robert) Thompson - } Laws. *Charles Hedges - } *Robert Pepper - }	-- Decree of Court of Arches affirmed, and cause remitted, with costs.	12 Dec. 1684	Consistory Court.	-- The suit was promoted by Tanner against John Collett for having incestuously married with Mary Collett, sister of his deceased wife, Anne Collett. Collett in his personal answers admitted the facts, but alleged as a justification that he had no issue by his first wife; and his uncle, John Collett, senior, the father of Mary and Anne Collett, deposed, that on the death of his daughter Anne he had promoted his nephew's marriage with his other daughter, in order "to preserve his estate in the name of the Colletts, in which it had been for 200 years last past and upwards." 26th July 1678.—The Court pronounced the pretended second marriage to be void. <i>ab initio</i> , decreed John and Mary Collett to be separated and divorced, and condemned them in costs.
Commission of Appeal, dated 25th October 1684, brought in 25th October 1684.	-- Jonathan Rutter, of the Parish of St. John, in the City and Diocese of Chester, Gentleman, <i>Appellant</i> ; against The Venerable Thomas Walwright, LL.D., Vicar General of the Bishop of Chester, <i>Respondent</i> .	-- Consistory of York, on appeal from the Consistory of Chester.	-- Correction for keeping a school without a license.	Sir Creswell Levinz, Knight, Justice of King's Bench. Sir Richard Holloway, Knight, Justice of Common Pleas. Sir Thomas Street, Knight, Baron of the Exchequer. (Sir Leoline) Jenkins (Knight), LL.D. (John) Edisbury - } Doctors (Thomas) Pinfold - } of (William) Oldys - } Laws. (Robert) Pepper - }	Proceedings discontinued		<i>Consistory of Chester.</i> -- 22nd March 1682-3.—Rutter was cited before the Consistory of Chester for contempt of the Law and Ecclesiastical Jurisdiction in teaching boys without having obtained any faculty or license. Having confessed the charge he was monished to obtain a License by a certain day, but not then producing one, was warned under pain of excommunication to desist from exercising the office of Schoolmaster within the City of Chester, without having first obtained a License. On a subsequent day (21st June 1683) he was asked by the Judge whether he relinquished the office of Schoolmaster, and not replying, was sentenced "pro confesso haberi," and to be excommunicated. From this Decree he appealed to the Court at York. <i>Consistory of York.</i> 9th November 1684.—The Court at York affirmed the Decree of the Court below, remitted the cause, and condemned Rutter in costs. Upon this he appealed again. <i>Delegates.</i> There is no record of any proceedings before the Delegates after the 17th July 1685.	

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
83	Commission of Appeal, dated 20th February 1684-5, brought in 27th February 1684-5 (1st Appeal).	- - John Cawley, S.T.P., Archdeacon of Lincoln, <i>Appellant</i> ; against William Oldys, LL.D., <i>Respondent</i> .	- - Arches -	- - Correction of Clerk (?).	Henry, Bishop of London - Francis, Bishop of Ely. Thomas, Bishop of Rochester. Sir Creswell Levinz, Knight, Justice of King's Bench. Sir Francis Withens, Knight, Justice of Common Pleas. Sir Thomas Walcot, Knight, Justice of Common Pleas. (Sir Leoline) Jenkins (Knight), LL.D. Henry Fauconberg - (John) Edisbury - Sir Thomas Pinfold, } Doctors of Knight, } Laws. George Oxenden - George Bramston -	- - No sentence was pronounced by this Commission.	-	- - The process in this case is very incomplete, and there is nothing to show the nature of the cause or the ground of the Appeal. But it would seem that it was a criminal suit, originally promoted by Oldys against Cawley, and that the latter appealed to the Delegates from some adverse sentence of the Court of Arches.
					<i>Delegates.</i> 5th May 1685.—Dr. Cawley alleged that on the 27th March last he had been summoned to appear in Convocation, with the Deans, Archdeacons, and other Prelates of the Province, before the Archbishop of Canterbury, on the 20th May, in the Chapter House of Saint Paul's Cathedral, and he claimed, under the Act 8 Hen. VI., cap. 1, intituled, "The Clergy of the Convocation shall have such Liberty as they which come to Parliament," to be exempt from arrest, molestation, or disturbance by any Court of Justice for 40, 30, or at least 20 days before and after the meeting of Convocation, and as 15 days only were then wanting, he claimed the benefit of the Act. Afterwards (5th July 1685) Dr. Oldys prayed the Court (consisting of three Delegates only) that Dr. Cawley might be suspended from the office of Archdeacon, <i>pendente lite</i> , whereupon Cawley contended that the question ought to be tried before the Judges "e foro seculari," at Sergeant's Inn; the Delegates, however, decreed him to be suspended <i>pendente lite</i> , but on Cawley renouncing his asserted privilege, and consenting that the cause should be heard at Sergeant's Inn, the Court deferred the issue of the suspension. In the meantime the Bishop of London (Compton) had been suspended; Sir L. Jenkins (and Sir T. Walcot?) had died, and Sir C. Levinz had been superseded. Accordingly a Commission of Adjuncts was brought in. Ultimately (1st December 1686) the Court, consisting of two Bishops, three Common Law Judges, and five Doctors of Law, affirmed the sentence of the Court below, remitted the cause, and condemned Cawley in costs.	1 Dec. 1686.		
84	Commission of Appeal, dated 5th December 1688, brought in 11th December 1688 (2nd Appeal).	- - William Oldys, LL.D., <i>Appellant</i> ; against John Cawley, S.T.P., <i>Respondent</i> .	- - Arches -	- -	<i>Nathaniel</i> , Bishop of Durham - *Francis, Bishop of Ely. *Thomas, Bishop of Rochester - *Sir Francis Withens, Knight, Justice of Common Pleas. *Sir Robert Wright, Knight, Justice of Common Pleas. *Sir John Powell, Knight, Justice of King's Bench. *Richard Raines, LL.D. (Master of the Prerogative Court of Canterbury.) *Henry Fauconberg - (John) Edisbury - *Sir Thomas Pinfold, } Doctors of Knight, } Laws. *George Oxenden - *George Bramston - (Edward) Master - Henry Fauconberg - George Oxenden - George Bramston - (Matthew) Tindall -	- - Decree of Court of Arches affirmed, and cause remitted, with costs.		<i>Second Appeal.</i> It would seem that shortly after the remission of the cause to the Court of Arches, Cawley was deprived of the Archdeaconry of Lincoln, and <i>Thomas Oldys</i> , B.C.L., admitted and installed in his place, but that Cawley, notwithstanding his deprivation, continued to act as Archdeacon, and issued a Monition announcing his intention to hold a Visitation. It does not appear what was the ground of the second Appeal, but as Oldys was this time the Appellant, the sentence of the Court of Arches must have been more or less in favour of Cawley.
								<i>Delegates.</i> There is no record of the proceedings on the second Appeal to the Delegates. The minutes from the 13th December 1688 to 19th June 1689 are wanting, but as Cawley applied for a Commission of Review, the decision of this Commission must have been against him.

Second Appeal.

Delegates.

There is no record of the proceedings on the second Appeal to the Delegates. The minutes from the 13th December 1688 to 19th June 1689 are wanting, but as Cawley applied for a Commission of Review, the decision of this Commission must have been against him.

-- On the other hand, Dr. Oldys seems to have obtained a rule for a prohibition for, on the return of the motion, 6th February 1689-90, the Delegates then present decided, "*deservendum fore*, to know the opinion of Justice Dolben, one of the Judges of the Common Law, whether they may proceed or not, notwithstanding the rule for a prohibition," and on the 10th February 1689-90 the Judges (with whom was one Bishop) gave their opinion "that they cannot proceed in this cause until the prohibition is discharged," but afterwards (14th July 1690) on the process being brought in, the Court declared that the prohibition did not touch the cause; and ultimately, on the 1st November 1690, two Doctors of Law dissenting, the Court pronounced for the Appeal, reversed the sentence of the former Commission of Delegates, and dismissed and absolved Cavley, but made no order as to costs.

Consistory Court.

-- The suit was promoted by Walmisley. Slader was charged with fornication and adultery.
10th June 1684.—The Court pronounced that the charges had been proved, and condemned Slader to perform salutary penance, and to pay costs.

Archies.

9th July 1685.—The Court of Archies affirmed the decree of the Court below, remitted the cause, and condemned Slader in costs.

Delegates.

23rd February 1685-6.—The Delegates pronounced against the Appeal, affirmed the Decree of the Courts below, and remitted the cause, and condemned Slader in costs.

The appellant Slader is the same as the appellant in the case of *Slader v. Smalbrooke* (No. 50).

-- This was originally a criminal suit, promoted by Nichollets against Fidoe, but on what ground does not appear.

8th June 1686.—Fidoe's proctor pleaded the late pardon, but the Delegates ruled that, notwithstanding the proclamation of pardon, the cause might proceed to sentence, but there seem to have been no further proceedings.

There is no process.

Commission of Review, dated 23rd November 1689, brought in 17th December 1689.	1 Nov. 1690	-- Decree of former Commission reversed, and Appellant dismissed.	-- Decree affirmed, and cause remitted, with costs.	23 Feb. 1685-6	-- On the other hand, Dr. Oldys seems to have obtained a rule for a prohibition for, on the return of the motion, 6th February 1689-90, the Delegates then present decided, " <i>deservendum fore</i> , to know the opinion of Justice Dolben, one of the Judges of the Common Law, whether they may proceed or not, notwithstanding the rule for a prohibition," and on the 10th February 1689-90 the Judges (with whom was one Bishop) gave their opinion "that they cannot proceed in this cause until the prohibition is discharged," but afterwards (14th July 1690) on the process being brought in, the Court declared that the prohibition did not touch the cause; and ultimately, on the 1st November 1690, two Doctors of Law dissenting, the Court pronounced for the Appeal, reversed the sentence of the former Commission of Delegates, and dismissed and absolved Cavley, but made no order as to costs.
Commission of Appeal, dated 23rd October 1685, brought in 26th October 1685.		*William, Bishop of St. Asaph *Gilbert, Bishop of Salisbury. *Edward, Bishop of Worcester. *Sir William Dolben, Knight, Justice of Common Pleas. Sir Peyton Ventris, Knight, Justice of King's Bench. *Sir Edward Nevill, Knight, Baron of the Exchequer. Sir Nicholas Lechmere, Knight, Baron of the Exchequer. †Edward Master - } Doctors (Robert) Pepper - } of -- Burles - } Laws. †Richard Pagitt - } *Brian Walton - } † Master and Pagitt were present, but dissented from the sentence. They did not sign it.	*Sir Job Charleton, Knight, Justice of King's Bench. *Sir Thomas Street, Knight, Justice of King's Bench. *Sir Edward Atkins, Knight, Baron of the Exchequer. (John) Edisbury - } Doctors *Thomas Pinfold - } of *William Oldys - } Laws. *Charles Hedges - } *Henry Newton - } (Fisher) Littleton - }		
-- Josiah Slader, of the Parish of Birmingham, in the Diocese of Lichfield and Coventry, Appellant; against William Walmisley, Notary Public, of the same Diocese, Respondent.		-- Arches, on Appeal from the Consistory of Lichfield.	-- Correction of Layman for Immorality.		
Commission of Appeal, dated 20th January 1685-6, brought in 28th January 1685-6.		-- John Fidoe, Appellant; against Gilbert Nichollets, Respondent.	-- Correction of Layman.		
		Sir Edward Atkin, Knight, Baron of Exchequer. Sir Job Charleton, Knight, Justice of King's Bench. *Sir Robert Wright, Knight, Justice of Common Pleas. (John) Edisbury - } Doctors *William Oldys - } of *Charles Hedges - } *Henry Newton - } *Fisher Littleton - } * Present when Fidoe's plea was overruled.	Sir Edward Atkin, Knight, Baron of Exchequer. Sir Job Charleton, Knight, Justice of King's Bench. *Sir Robert Wright, Knight, Justice of Common Pleas. (John) Edisbury - } Doctors *William Oldys - } of *Charles Hedges - } *Henry Newton - } *Fisher Littleton - } * Present when Fidoe's plea was overruled.		

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
88	Commission of Appeal, dated 15th February 1685-6, brought in 20th February 1685-6.	- - Charles Beswick, Clerk, Rector of Ratcliffe, in the County of Lancaster, <i>Appellant</i> ; against Sir Ralph Ashton, Baronet, of Middleton, in the same County, <i>Respondent</i> .	- - Consistory of York, on Appeal from the Consistory of Chester.	- - Correction of Clerk for Drunkenness, neglect of duty, &c.	Sir Edward Atkins, Knight, Baron of the Exchequer. Sir Job Charlton, Knight, Justice of King's Bench. Sir Robert Wright, Knight, Justice of Common Pleas. (John) Edisbury - (William) Oldys - (Charles) Hedges - (Stephen) Brice - (George) Bramston - - - Doctors of Laws.	- - Proceedings discontinued.	-	<i>Consistory of Chester.</i> - - The suit was originally promoted by Ashton against Beswick for leading a scandalous life, being an immoderate drinker and profane swearer, and neglecting his duty, &c. It seems that a similar suit had been instituted against Beswick in 1671, and that in 1674 he had been presented by the Churchwardens to the Bishop of Chester at his visitation in that year, and the Judge of the Consistory Court, in order that he might not escape justice, directed that the proceedings on those occasions should form part of the process in this suit. He then stated that the charges were of so grave a nature as to require the personal attendance of the Bishop; but as he was unable through illness to attend in Court, the Judge adjourned the proceedings and directed the Proctors to attend the Bishop at his palace on the afternoon of the same day. This was done, and the Bishop, after declaring that the charges of drunkenness and profanity had been proved, and that Beswick had often before been convicted of similar offences, sentenced him to be deprived, and condemned him in costs (9th April 1685). <i>Consistory of York.</i> 10th December 1685.—The Court affirmed the Decree of the Court below, remitted the cause, and condemned Beswick in costs.
89	Commission of Appeal, dated 26th March 1686, brought in 21st April 1686.	- - William Powell, Clerk, M.A., Vicar Choral of the Cathedral of Salisbury, and Vicar of Britford or Burford, <i>Appellant</i> ; against Thomas Lambert, Canon Residentiary, of the same Cathedral, and Archdeacon of Salisbury, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of Sarum.	- - Correction of Vicar Choral for drunkenness, contumacy, neglect of duty, &c.	Nathaniel, Bishop of Durham Thomas, Bishop of Rochester Francis, Bishop of Ely Sir Edward Atkins, Knight, Baron of the Exchequer. Sir Robert Wright, Knight, Justice of Common Pleas. Sir Henry Bedingfield, Knight, Justice of Kings Bench. (John) Edisbury - (Robert) Pepper - (Stephen) Brice - (Fisher) Littleton - (George) Bramston - - - Doctors of Laws.	- - Proceedings discontinued.	-	<i>Delegates.</i> There is no sentence in this cause, nor any record of proceedings after the 17th February 1686-7. <i>Consistory Court.</i> - - The suit was promoted by Lambert at the Septennial Visitation of the Bishop of Salisbury in 1684. Powell was charged with profane swearing, drunkenness, neglect of duty, contumacious behaviour towards his ecclesiastical superiors, and with holding, in addition to his office of Vicar Choral, a benefice, with cure of souls, contrary to the statutes and customs of the Cathedral. Powell, not having appeared, the cause was heard <i>ex parte</i> , and on the 26th March 1685 the Bishop pronounced that the charges had been fully proved, and deprived Powell of the office of Vicar Choral, and condemned him in costs. <i>Arches.</i> 9th July 1685.—The Court of Arches affirmed the Decree of the Court below, remitted the cause, and condemned Powell in costs. <i>Delegates.</i> There is no sentence in this cause, nor any record of proceedings after the 17th February 1686-7.

Consistory Court.

- - Milward, after serving as Curate of Warfield for about a year and a half, had applied to the Bishop for a license. His application was opposed by the Churchwardens, who brought in articles charging him with acting as Curate without any license, neglecting his duty, professing to be a conjuror, and to raise the devil, &c.

22nd July 1685.—The Court refused the license, sentenced Milward to be removed from the Church of Warfield, and ordered that no one should be appointed Curate of the Church without having been duly examined and approved. From this Decree Milward appealed.

Arches.

It seems that Milward obtained a monition from the Court of Arches, requiring the Churchwardens to permit him to serve as Curate; for, in Easter Term 1686, he alleged that Johnson, one of the promoters, was in contempt for not obeying the monition, and brought in articles against him. Johnson, who had appeared under protest, alleged that the Archbishop had no jurisdiction, inasmuch as the power of granting and refusing licenses belonged to the Bishop of the Diocese; and, further, that the offences charged against Milward had been condoned by the Royal Proclamation of General Pardon, so that the Archbishop could not now take cognisance of the case, and as Milward had no license from the Bishop, he (Johnson) considered that he might treat the monition as null and void.

The Court directed Johnson to appear and answer Milward's articles for contempt, and gave Milward leave to do duty until the day named for passing sentence. From this order Johnson appealed.

Delegates.

On the 28th June 1686 the Appeal was assigned for hearing on some point of law (*ad informandum in jure*), but no further proceedings are recorded.

The suit had been originally promoted by *Chambers* and Johnson, who had been Churchwardens of Warfield for the year 1685, but Chambers not having been re-appointed at Easter 1686, is not named in the proceedings after that date. Barnard succeeded him as Churchwarden, with Johnson, for 1686.

- - Proceedings discontinued.

Nathaniel, Bishop of Durham
Francis, Bishop of Ely.
Thomas, Bishop of Rochester
Sir Francis Wytheys, Knight,
Justice of Common Pleas.
Sir Richard Holloway, Knight,
Justice of Common Pleas.
Sir Thomas Jenner, Knight, Baron
of the Exchequer.
(John) Edisbury - }
(William) Odys - } Doctors
(Charles) Hedges - } of
(Robert) Pepper - } Laws.
(Fisher) Littleton - }

- - Correction of Clerk for serving as Curate without a license, neglect of duty, &c.

- - Arches, on Appeal from the Consistory of Salisbury.

- - William Barnard and Henry Johnson, Wardens of the Parish Church of Warfield, in the County of Berks, *Appellants*; John Milward, Clerk, Curate of the same Parish, *Respondent*.

Commission of Appeal, dated 4th May 1686, brought in 14th May 1686.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS
91	Commission of Appeal, dated 7th April 1687, brought in 13th May 1687.	- - The Rev. Father in Christ, William, Bishop of Llandaff, Vicar of Abberbury or Adderbury, in the County and Diocese of Oxford, <i>Appellant</i> ; against William Belcher and Samuel Goodwin, now, or lately, Wardens of the Church or Chapel of Barford St. John, in the same parish, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Oxford.	- - Correction of Bishop, as Vicar, for non-performance of Divine Service and non-repair of Chancel.	Nathaniel, Bishop of Durham *Thomas, Bishop of Rochester. *Thomas, Bishop of Peterborough. Sir Thomas Street, Knight, Justice of King's Bench. *Sir Richard Holloway, Knight, Justice of Common Pleas. *Sir John Powel, Knight, Justice of Common Pleas. (John) Edisbury - } *Stephen Brice - } <i>Doctors</i> *Charles Hedges - } <i>of</i> *Fisher Littleton - } <i>Laws.</i> *George Bramston - }	- - Decree of Court of Arches reversed, and that of the Consistory Court, in part, reformed.	13 Dec. 1687	<i>Consistory of Oxford.</i> - - The suit was promoted by the Churchwardens of Barford against the Bishop of Llandaff as Vicar of Adderbury, for non-performance of Divine Service in the Chapel of Barford St. John's, described as a member of the Parish Church of Adderbury, and for not repairing the chancel of the same chapel. 27th February 1685-6.—The Court dismissed the Bishop from the suit as regarded the charge of not repairing the chapel, and condemned the promoters in costs, but declared that he was bound either to perform service himself, or to provide for its performance by a proper resident curate. From this sentence the Churchwardens appealed. <i>Arches.</i> 22nd February 1686-7.—The Court of Arches, reversing, in part, the decree of the Consistory Court, declared that the chapel was endowed with glebe and great tithes, and directed the Bishop to repair the chancel. The Court seems to have confirmed the Decree so far as it had declared the Bishop to be liable to provide for the performance of service, and condemned him in costs. <i>Delegates.</i> 12th December 1687.—The Delegates pronounced for the Appeal, reversed the decree of the Court of Arches, and dismissed the Bishop of Llandaff from all further proceedings so far as regarded the repair of the chancel of the chapel. The Court then "retracted and reformed" so much of the sentence of the judge of the Consistory Court as related to the performance of Divine Service, and in lieu thereof declared that the Bishop of Llandaff, as Vicar of Adderbury, and his successors in that office, should, by themselves, or at their own expense by a chaplain or curate, cause service to be fitly (<i>congrue</i>) performed in the chapel in public prayers, and in celebrating all other Divine offices, and in administering the Sacraments and Sacramentals of the Church in accordance with the instrument of the foundation of the Vicarage of Adderbury. The Court also condemned the Respondents in the costs of the Appeal to the Court of Arches, and from that Court to the Delegates. In the course of the proceedings a copy was brought in of the instrument of endowment of the Vicarage of Adderbury, dated 9th July 1381, in which is set out a Bull of Pope Urban VI., addressed to the Bishop of Rochester as his delegate, dated June 1378, authorising the foundation of New College, Oxford, by William of Wickham, and annexing thereto the Parish Churches of Adderbury and Steeple Morden, but reserving a portion of the profits for the perpetual vicars of those parishes.

92	Commission of Appeal, dated 18th January 1687-8, brought in 20th January 1687-8.	-- John White, Clerk, Vicar of Dunham, in the County of Nottingham, <i>Appellant</i> ; against John Baldwin and John Hainesworth, Churchwardens of Dunham, and John Moncke and Thomas Allinson, Wardens of the Chapel of Rignell, in the same parish, <i>Respondents</i> .	-- Court of Dean and Chapter of York Cathedral,* on Appeal from the Peculiar Court of the Chapter of the Collegiate Church of Southwell. * "Ad quos," (it is added) "omnis et dictio spiritualis et ecclesiastica, que archiepiscopum Eboris sedē plenā pertinet, ipsā sedē jam vacante notoriē dignoscitur pertinere."	-- Correction of Clerk for drunkenness, blasphemy, neglect of duty, &c.	Sir John Powell, Knight, Justice of Common Pleas. Sir Richard Allibon, Knight, Justice of Common Pleas. Sir Richard Heath, Knight, Baron of the Exchequer. (Henry) Fauconberg (Robert) Pepper (George) Bramston (Stephen) Waller Lane -- Dockers -- of -- Laws.	27 June 1688	-- Cause agreed -- -- The suit was promoted by the church and chaplains against White, for drunkenness, profanity, blasphemy, neglect of duty, &c. White appeared in person, and pleaded that he was afflicted with a lunacy or distraction, during the continuance of which disclaimer he might have committed divers scandalous offences contrary to his duty, but that he had begged pardon from Almighty God, and now begged the pardon of the Court. He also prayed the benefit of the general pardon granted by the King's Letters Patent of the 10th March 1685-6. 9th December 1686.—The Court held that the charges had been proved, and after stating that sentences of Deprivation or Deposition could be pronounced by a Bishop only, sentenced White to be suspended from his office and benefice in the Vicarage of Dunham until it should be definitely and canonically declared according to the good pleasure of the King what kind of further punishment should be inflicted upon him in regard to the deserts of his offences.
93	Commission, dated 17th June 1689, brought in 19th June 1689.	-- The Rev. Gregory Hascard, S.T.P., Dean of the Collegiate Church or Free Royal Chapel of St. George, within the Castle of Windsor, against John Saumarez, S.T.P., Canon or Prebendary of the said Church or Chapel.	-- See observations in last column.	-- "Negotium querelæ sive visitationis" (See Observations).	* Henry, Bishop of London * William, Bishop of St. Asaph. Jonathan, Bishop of Exeter. Simon Patrick, S.T.P., Dean of Peterborough. * Sir Thomas Finfold, Knight, LL.D. * George Bramston, LL.D.	9 Aug. 1689	-- Decree of suspension <i>ab officio et a beneficio</i> . On Appeal, the cause seems to have been agreed, the word "pax" being written under the last minute, <i>Delegates</i> . -- The Commission in this case is described in the Repertory Book as a "Special" Commission, implying that the suit came before the Commissioners not as an Appeal from any inferior court, but as an original proceeding, by virtue, it would seem in this instance, of the authority of the Crown as visitor. The Commission was issued as usual under the Great Seal, and the minutes or acts of its proceedings are recorded amongst those of the delegates, properly so called, but except in those of the delegates, the Commissioners are described as "condlegates". The exact nature of the charge against Dr. Saumarez. The Dean of Windsor presented to the living of Hasely, and was preferred against him is not stated, but it seems to have been connected with his presentation to the living with his canonry. Dr. Saumarez appeared under protest, alleging that the Lord Chancellor was the local visitor of the college, but the case proceeded, and articles were brought in by the dean. The cause was heard summarily, four members of the college being examined (under protest) <i>visā voce</i> , and on the 9th August 1689, the Commissioners, by their interlocutory decree, pronounced that Dr. Saumarez had acted against (<i>fecisse contra</i>) his office, and the oath taken by him to the college, and accordingly decreed him to be suspended <i>ab officio et a beneficio</i> from his canonry or prebend during the pleasure of the King and Queen, and ordered that he proceeds thereof; during the suspension, should, after deducting the costs, be applied to the use of the Collegiate Church. Sir Thomas Finfold did not concur in this decree, declaring that he did not find from the proofs that Dr. Saumarez had acted against his oath. Dr. Saumarez gave notice <i>de supplicando</i> (i. e. of petitioning for a rehearing of the suit), but it does not appear that any steps were taken by him to set aside the decree.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
94	Commission of Appeal, dated 27th March 1690, brought in 19th April 1690.	- Samuel Rich, Clerk, S.T.P., Rector of Stalbridge, in the County of Dorset, and Diocese of Bristol, <i>Appellant</i> ; - William Loder and Henry Gerrard, Churchwardens of the same parish, <i>Respondents</i> .	- Arches, on Appeal from the Consistory of Bristol.	- Correction of Clerk for Adultery, neglect of duty, &c.	*William, Bishop of St. Asaph *Gilbert, Bishop of Salisbury. *Edward, Bishop of Worcester. Simon, Bishop of Chichester. Sir John Holt Knight, Chief Justice of Common Pleas. *Sir William Dolben, Knight, Justice of Common Pleas. *Sir Thomas Rokeby, Knight, Justice of King's Bench. (Sir Charles) Hedges, (Knight) LL.D. (Judge of the High Court of Admiralty.) *Sir Richard Raines, Knight, Master of Prerogative Court of Canterbury. (John) Edisbury - Doctors of Laws. *George Bramston - (Stephen) Waller -	- Decree of Court of Arches affirmed, and cause remitted, with costs.	6 June 1690 -	<i>Consistory Court.</i> - The suit was promoted by Loder and Gerrard. Rich was charged with adultery, neglect of duty, not repairing the Rectory Barn, promoting vexatious suits against his neighbours, &c. Rich appealed from the decision of the Consistory Court on several points, but mainly, it would seem, from the admission of a supplementary allegation on the part of the promoters (18th April 1689). <i>Arches.</i> 15th February 1689-90.—The Court of Arches affirmed the Decree of the Court below, with costs, and pronounced that the charges had been proved, and sentenced Rich to be deprived, and otherwise corrected according to the Canons, and condemned him in costs. <i>Delegates.</i> 6th June 1690.—The Delegates affirmed the Decree of the Court of Arches, with costs, and remitted the cause. - - Andrewes, a Prebendary of the Cathedral claimed the office of Vicar Choral, with the Curacy of Llandaff and Whitchurch annexed, on the ground that as Prebendary he had, in his turn, the option of accepting it when vacant, and had been admitted to the office, and licensed to the Curacy by the Bishop, as <i>ex officio</i> Dean, and Head of the Chapter. Maddocks claimed as having been elected by the Chapter, under the Presidency of the Archdeacon, who contended that he, and not the Bishop, was Head of the Chapter. <i>Consistory Court.</i> Maddocks having disregarded a monition from the Bishop, forbidding him to officiate in the Cathedral, or as Curate of Llandaff and Whitchurch, was cited before the Court, and (17th October 1689) suspended from his clerical office and from the execution of the office of Vicar Choral until the Bishop should relax the suspension. From this sentence Maddocks appealed. Later in the same day, the Bishop having overheard Maddocks, notwithstanding the suspension, reading the Evening Prayers in the Choir, excommunicated him, Maddocks again appealing. Some altercation ensued, in which the Bishop charged Maddocks with behaving irreverently to him, and suspended him from the office of Principal Registrar also. <i>Arches.</i> 29th July 1690.—The Court of Arches pronounced that Maddocks had been duly elected, and enjoined Andrewes to abstain from interfering with him in the execution of his office, and to keep silence for the future, and condemned him in costs. <i>Delegates.</i> 22nd April 1692.—It would seem that the Court was (equally?) divided in opinion, for a minute of this date says that the Delegates, after hearing the parties by their advocates and counsel, "nil decreverunt in eorum opinionibus discrepantes." There seem to have been no further proceedings.
95	Commission of Appeal, dated 4th October 1690, brought in 21st October 1690.	- Thomas Andrewes, Clerk, <i>Appellant</i> ; - Philip Maddocks, Clerk, <i>Respondent</i> .	- Arches, on Appeal from the Consistory of Llandaff.	- Dispute as to appointment of a Vicar Choral of Llandaff Cathedral.	William, Bishop of St. Asaph Edward, Bishop of Worcester. Simon, Bishop of Chichester. Sir Edward Nevill, Knight, Baron of the Exchequer. Sir William Gregory, Knight, Justice of Common Pleas. Sir John Powell, Knight, Justice of King's Bench. (Sir Richard) Raines, (Knight) LL.D. (Master of Prerogative Court of Canterbury.) (John) Edisbury - Doctors of Laws. (Henry) Newton - (Stephen) Waller -	Proceedings discontinued	-	

96 Commission of Appeal, dated 9th March 1690-1, brought in 30th April 1691.	- - Philip Maddocks, Clerk, <i>Appellant</i> ; The Rev. Father in Christ William, Bishop of Llandaff, <i>Respondent</i>.	- - Arches, on Appeal from the Consistory of Llandaff.	Correction of Clerk for irreverent behaviour to Bishop.	William, Bishop of St. Asaph, Edward, Bishop of Worcester, Simon, Bishop of Chester, Sir Edward Nevill, Knight, Baron of the Exchequer, Sir John Powell, Knight, Justice of King's Bench, Sir William Gregory, Knight, Justice of Common Pleas, Sir Richard Raines, Knight, LL.D., (Master of Prerogative Court of Canterbury.) (John) Edisbury - } Doctors Fisher Littleton - } of Henry Newton - } Laws. Stephen Waller - }	Proceedings discontinued	- This Appeal arose out of the case of <i>Andreev v. Maddocks</i> (No. 95), in which the Bishop of Llandaff had passed sentence of excommunication against Maddocks for his alleged irreverent behaviour to him. From this sentence Maddocks appealed, first to the Court of Arches, which (on the 16th February 1690-1) pronounced against the Appeal, and remitted the cause, with costs, and thence to the Delegates. The same Delegates were named for adjudication of both cases, but by distinct Commissions of Appeal, the Bishop not being a party to the Appeal in the case of <i>Andreev v. Maddocks</i>. <i>Delegates.</i> 22nd April 1692.—In a minute of this date it is stated that the Delegates, after hearing both parties by their advocates and counsel, “nil decreverunt quia in eorum opinionibus non consenserunt.” It would seem that pending the Appeal the Bishop of Llandaff had issued a mandate prohibiting Maddocks from officiating in his Diocese, on the ground that the excommunication pronounced against him had not been removed by the Delegates. The Bishop had also sequestered the Rectories of Michaelston-super-Ely and St. Bride's-super-Ely, in the County of Glamorgan, of which Parishes Maddocks was Rector. 8th July 1692.—On the application of Maddocks' Proctor, the Delegates revoked both the mandate and the sequestration as being “attentats” by the Bishop against the jurisdiction of the Court of Appeal, and decreed an inhibition against him. There seem to have been no further proceedings.
97 Commission of Appeal, dated 10th November 1691, brought in 22nd January 1691-2.	- - Tristram Salter, of the Parish of Penn, in the County of Bucks and Diocese of Lincoln, <i>Appellant</i> ; John Davies, Clerk, Vicar of the said Parish, <i>Respondent</i>.	- - Arches	- - Correction of Clerk for Heresy, neglect of duty, not repairing parsonage, &c.	Henry, Bishop of London - Gilbert, Bishop of Salisbury. Edward, Bishop of Worcester. Sir William Dolben, Knight, Justice of Common Pleas. Sir Thomas Rokeby, Knight, Justice of King's Bench. Sir John Powell, Knight, Baron of Exchequer. (Sir Charles) Hedges (Knight), LL.D., (Judge of the High Court of Admiralty). (James) Maister - } Doctors (John) Edisbury - } of (Fisher) Littleton - } Laws. (George) Bramston - }	Proceedings discontinued	<i>Arches.</i> - The process is apparently incomplete, but the suit, which was originally promoted by Salter against Davies, was probably brought before the Arches by Letters of Request from the Diocesan Court. Davies was charged with having omitted to read, &c. as required by law, the Thirty-nine Articles within two months of his induction, with preaching in favour of Popery, neglecting his ministerial duties, and suffering the Vicarage House to fall into decay. 24th May 1691.—Some months after the institution of the suit Salter, the promotor, brought in an allegation stating that in March 1690-1 Davies had been convicted at the General Assizes for Bucks on an information for speaking “scandalous, profane, seditious, and reproachful words” against King William and Queen Mary and the Convention, and had in the following May been sentenced to be brought by the Marshal before the next Assizes at Bucks, with a paper on his breast, and further to pay a fine of 100 marks, and to remain in custody until this order should be performed and the fine paid. On the 25th June 1691 the promotor further alleged that Davies had not been resident for the last two months, and was then in the King's Bench Prison, and that the Vicarage House was ruinous and dilapidated, whereupon the Court ordered the emoluments of the Vicarage to be sequestered in the hands of the Patron and Churchwardens, in order to provide for a Curate and to repair the Vicarage House, and subsequently allotted 20 l. per annum for the Curate and 10 l. per annum for the repairs. Davies' proctor gave notice of appeal from the Decree of Sequestration, but the appeal seems not to have been prosecuted. From the last minute of the proceedings in the Court of Arches (dated 3rd Nov. 1691) it appears that Davies, being then still in prison, the Court had ordered the cause to remain <i>in statu quo</i>. It would seem that Salter appealed from this order. <i>Delegates.</i> 10th June 1692.—The cause having been assigned for hearing, at Salter's petition, Davies appeared, and prayed that an account might be rendered by the sequestrators and the sequestration relaxed. Shortly afterwards (18th June 1692) the Court relaxed the sequestration, and assigned the cause for sentence on the first assignation, but there seems to have been no further proceedings.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
98	Commission of Appeal, dated 1st April 1692, brought in 30th April 1692.	- - Richard Orchard and Sarah Orchard, of Henbury, in the County of Gloucester, <i>Appellants</i> ; against John Cobb, Notary Public of the Consistory Court of Bristol, <i>Respondent</i> .	- - Arches, on appeal from the Consistory of Bristol.	- - Correction of Parishioners for incestuous marriage.	*Sir William Dolben, Knight, Justice of Common Pleas. *Sir John Powell, Knight, Justice of King's Bench. *Sir John Powell, Knight, Baron of Exchequer. (James) Master - (John) Edisbury - } Doctors *Henry Newton - } of *Stephen Waller - } Laws. *Matthew Thdall - }	- - Sentence against the Appellants, with costs.	7 Mar. 1692-3	- - Richard Orchard was presented by the Churchwardens of Henbury for having incestuously married Sarah Orchard, his father's widow. <i>Consistory Court.</i> 19th December 1691.—The Court pronounced that the pretended marriage was null and void in law, and that the Orchards ought to be canonically corrected, and to perform suitable penance. They were also condemned in costs. <i>Arches.</i> 15 February 1691-2.—The cause had been assigned for sentence and informations, but the Court rescinded the conclusion of the cause, and gave leave to Cobb to bring in further proofs; upon this R. and S. Orchard appealed to the Delegates. <i>Delegates.</i> 25th November 1692.—Cobb's Proctor having alleged that "new matter" had come to his knowledge, the Court rescinded the conclusion, and subsequently admitted an allegation tendered by him. 7th March 1692-3.—On this day the Delegates pronounced sentence against the Appeal, and declared that Richard Orchard the elder had been lawfully married to Sarah Orchard, one of the Appellants, of which marriage children had been born, and that after his death (in the year 1680 or 1690) Richard Orchard, junior, his lawful son, had contracted a marriage with Sarah Orchard, his father's widow, and that on or about the 30th January 1690-1 the said Richard Orchard, junior, and Sarah Orchard had caused a marriage "sen potius effigiem matrimonii de facto licet indebit et incestuose solemnizari vero potius prophaniari" between them in Wells Cathedral, and had since lived together as man and wife. The Delegates then declared that the said pretended marriage was <i>ab initio</i> null and void, and separated, divorced, and absolved the Appellants therefrom, and further sentenced them to be canonically corrected, and to perform salutary and condign penance. They also condemned the Appellants in costs in all the courts. A Motion was also decreed forbidding the Appellants to consort together except in public. A clause in the corrected sentence charging the Appellants with incestuous intercourse was struck out by the Court.

99	Commission of Appeal, dated 24th October 1692, brought in 3rd December 1692.	-- Robert Hancock, Clerk, Rector of St. Martin's, near Looe, in the County of Cornwall, <i>Appellant</i> ; against John Bomer, <i>Respondent</i> .	-- Arches, on appeal from the Consistory of Exeter.	-- Suit against Rector for not providing a Curate to officiate in a Chapel in his Parish.	Henry, Bishop of London - Edward, Bishop of Worcester. John, Bishop of Norwich. Sir William Dolben, Knight, Justice of Common Pleas. Sir John Powell, Knight, Justice of King's Bench. Sir John Powell, Knight, Baron of Exchequer. (Sir Richard) Raines (Knight) LL.D., (Master of the Prerogative Court of Canterbury). (Sir Thomas) Pinfold } Doctors (John) Edisbury - } of (Henry) Newton - } Laws. (George) Bramston - }	Proceedings discontinued		-- The suit was promoted to compel Hancock to provide for the performance of Divine Service in the Chapel of East Looe, situate in the parish of St. Martin's, about one mile from the Parish Church. 23rd January 1690-1.—Hancock not having appeared when cited, was pronounced contumacious, and decreed to be suspended during the Bishop's pleasure (<i>donec aliter visum fuerit</i>). The titles were then sequestered to provide for the ministrations of a Curate.
100	Commission of Appeal, dated 14th July 1693, brought in 1st August 1693.	-- Butler Chamberlayne, of the parish of St. James-in-the-Fields, in the County of Middlesex and Diocese of Canterbury, Spinster, <i>Appellant</i> ; against Mary Hewetson, of the same parish, <i>Respondent</i> .	-- Arches	-- Correction for Adultery.	†*Gilbert, Bishop of Salisbury †*Edward, Bishop of Worcester. †John, Bishop of Norwich. †Sir William Dolben, Knight, Justice of Common Pleas. †*Sir John Powell, Knight, Justice of King's Bench. †*Sir John Turton, Knight, Baron of Exchequer. †Sir John Powell, Knight, Baron of Exchequer. †Sir Charles Hedges, Knight, Judge of the High Court of Admiralty. †Sir Richard Raines, Knight, LL.D., Master of the Prerogative Court of Canterbury. (John) Edisbury - (George) Bramston - †*Henry Fauconberg - Doctors †*Brian Walton - of †*Mathew Tindall - Laws. †*Richard Pagit - †*John Harwood -	-- On the Grievance, sentence against Appellant, with costs, but cause retained. In the principal Cause, sentence in favour of the Respondent, with costs.	7 Dec. 1693 20 Feb. 1693-4.	-- The suit was promoted in the Court of Arches (by Letters of Request from the Bishop of London) by Mary Hewetson against Chamberlayne for fornication and adultery with Thomas Hewetson, the Promoter's husband. The process is apparently incomplete, but it would seem that Chamberlayne appealed to the Delegates from an Order made by the Dean of the Arches on the 4th July 1693 for the admission as evidence in this suit of the process in another suit then pending in the same Court, instituted by Mary Hewetson against her husband for Divorce by reason of his adultery with Chamberlayne. The Court had previously issued a Monition, forbidding Thomas Hewetson and Chamberlayne to consort together except in public, and on the 11th July 1693 a Decree of Excommunication was issued against them for not obeying the Monition.

Note.—†Present when sentence was pronounced on the grievance.
*Present at the final sentence.

FIFTH PERIOD—1660—1789—continued.

No	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
101	Commission of Appeal, dated 17th April 1694, brought in 26th April 1694.	- - Joseph Barras and William Longbotham, of the Parish of Wakefield, in the County and Diocese of York, <i>Appellants</i> ; Edward Braithwaite, Gentleman, <i>Respondent</i> .	Consistory of York	- - Correction of Parishioners for altering seat without authority.	Sir John Powell, Knight, Justice of King's Bench. Sir Thomas Rokeby, Knight, Justice of King's Bench. Sir John Turlton, Knight, Baron of the Exchequer. Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. Sir Richard Raines, Knight, LL.D., Master of the Prerogative Court of Canterbury. George Bramston - } Doctors (Stephen) Waller - } of Matthew Tindall - } Laws.	Proceedings discontinued	-	<i>Consistory of York.</i> - - The suit was promoted by Braithwaite against Barras, Longbotham, and one Maria Eldridge, for contempt of Ecclesiastical law and jurisdiction, in having caused certain boards which formed a partition in the middle of a seat in Wakefield Church to be removed, and for having without lawful authority set a lock upon the door of the seat. Barras and Longbotham appealed from a sentence of Excommunication pronounced against them by the Consistory Court, on the 15th February 1693-4. <i>Delegates.</i> There is no record of any proceedings after the 25th February 1694-5.
102	Commission of Appeal, dated 27th February 1695-6, brought in 29th April 1696.	- - William Harris, Clerk, Vicar of the Parish of Bredwardine, in the County and Diocese of Hereford, <i>Appellant</i> ; Jonathan Twitney, Notary Public of the City and Diocese of Hereford, and afterwards against Gilbert Hearne, Notary Public, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Hereford.	- - Correction of Clerk for Immorality.	†William, Bishop of Lichfield and Coventry. *Simon, Bishop of Ely. ††John, Bishop of Oxford. †*Sir Thomas Rokeby, Knight, Justice of Common Pleas. ††Sir John Turlton, Knight, Baron of the Exchequer. ††Sir John Powell, junior, Knight, Justice of King's Bench. †*Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. †*Sir Richard Raines, Knight, LL.D., Master of the Prerogative Court of Canterbury. ††Stephen Waller - } Doctors †*Matthew Tindall - } of †*Richard Pagitt - } Laws. † Present when sentence was pronounced on the grievance. * Ditto in principal cause.	- - On the <i>Grievance</i> , Appeal pronounced against with costs, but Cause retained. <i>In principal Cause</i> , sentence in favour of Appellant, but without costs.	19 May 169 1 Mar. 1696-7.	<i>Consistory of Hereford.</i> - - The suit was originally promoted by Twitney against Harris, on a charge of fornication and incontinence. The process is very incomplete, but it seems that Harris appealed from a sentence of suspension passed upon him by the Bishop of Hereford (14th June 1695), not in Court or under the Court Seal, but privately and under the Bishop's own seal. It would seem too that the evidence for the defence was not then completed, the Court having, on the preceding day (18th June), decreed publication of the evidence for the promoter only, reserving the cross-examination of the witnesses. <i>Arches.</i> 2nd December 1695.—It would appear that the Court annulled the suspension by the Bishop as irregular, and retained the cause. Harris seems to have afterwards appealed from the rejection (27th January 1695-6) of certain articles of an allegation brought in by him. <i>Delegates.</i> 19th May 1696.—The Delegates pronounced sentence against the Appeal, with costs, but with the Respondent's consent retained the cause for hearing. Subsequently, Twitney being confined in Hereford Gaol, Hearne was admitted as a new promoter. Ultimately (1st March 1696-7) the Court pronounced sentence dismissing and absolving Harris from the charges preferred against him, and imposing perpetual silence upon Twitney and Hearne in respect thereof, but made no order as to costs.

103	Commission of Appeal, dated 20th February 1698-9, brought in 7th March 1698-9.	-- Abel Litchford, Lord of the Manor of Boothby Pannel, in the County and Diocese of Lincoln, <i>Appellant</i> ; against William Still, Churchwarden of the Parish of Boothby Pannel, <i>Respondent</i> .	-- Suit against Lord of the Manor for neglect to repair Chancel Aisle, not resorting to Parish Church, &c.	John, Bishop of Norwich John, Bishop of Oxford. John, Bishop of Chichester. Sir George Treby, Knight, Chief Justice of King's Bench. Sir John Powell, Knight, Justice of King's Bench. Sir John Blencowe, Knight, Justice of King's Bench. Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. Henry Fauconberg George Bramston - } Doctors (William) King - } of (John) Bridges - } Laws.	-- Proceedings discontinued.	In October 1695, Litchford, who had recently purchased the Manor of Boothby Pannel, was presented by Still, (1) for not paying the Parish Clerk his wages due in respect of the Manor House; (2), for not keeping in repair an aisle of the Chancel, which was an ancient burial place of the Manor; (3), for not attending Divine Service at the Parish Church, or any public tolerated place for religious worship. The Court dismissed Litchford from the suit as to the non-payment of the clerk's wages, but subsequently (27 April 1696) pronounced that the two other charges were proved; ordered him to repair the pavement of the aisle in question, and to resort to his Parish Church, or some other public tolerated place of worship, and condemned him in costs. From this decree he appealed.
104	Commission of Appeal, dated 13th March 1698-9, brought in 17th March 1698-9 (1st Appeal).	-- The Reverend Father in Christ, Thomas, by Divine permission Bishop of St. David's, <i>Appellant</i> ; against Robert Lucy, of Brecon, in the Diocese of St. David's, Esquire, <i>Respondent</i> .	-- Correction of Bishop for Simony, Extortion, &c.	*John, Earl of Bridgewater *Thomas, Earl of Stamford. *Charles, Earl of Manchester. John, Earl of Marlborough. *Ford, Earl of Tankerville. Humphrey, Bishop of Bangor. *Simon, Bishop of Ely. John, Bishop of Norwich. Richard, Bishop of Peterborough. *Sir George Treby, Knight, Chief Justice of King's Bench. Sir Edward Ward, Knight, Chief Baron of the Exchequer. *Sir John Powell, Knight, Justice of King's Bench. *Sir Littleton Powys, Knight, Baron of the Exchequer. *Sir Henry Hatsell, Knight, Baron of the Exchequer. *Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. John Edisbury, LL.D., Master in Chancery. *William King - } Doctors *John Bridges - } of Laws. *Owen Wynne - }	-- On the Grievance, Appeal pronounced against, and Cause remitted, with costs.	24th November 1698.--The Consistory Court reversed the Decree of the Archdeacon's Court, dismissed Litchford from the suit, and condemned Still in the costs in both Courts. 15th February 1698-9.--The Court having rejected an allegation brought in by Litchford, in which he charged the Rector of the Parish, who was one of the witnesses against him, with having spread scandalous stories about him, Litchford appealed to the Delegates. <i>Delegates.</i> The proceedings were discontinued before the case came on for hearing; the last Minute is dated the 22nd May 1696. <i>Archbishop's Court.</i> -- The suit was promoted in August 1695 by Lucy, son of a former Bishop of St. David's, and Registrar of the Diocese, against Dr. Thomas Watson, the then Bishop, on a great number of charges, contained in 29 articles, to which 3 more were afterwards added. The principal charges seem to have been that the Bishop had simoniacally collated John Hedley, his nephew, to the Archdeaconry of St. David's and other preferments; had agreed for 200 guineas to resign to one William Brooks, his Curate, a Benefice of which he was Rector <i>in commendam</i> ; had exacted excessive fees from the clergy at ordinations, institutions, &c., and had not administered the oaths of allegiance and supremacy to candidates for ordination. The Bishop having been cited to appear before the Archbishop or his Vicar General in the Hall at Lambeth Palace, appeared under protest, claiming his Parliamentary privilege; but Lucy having petitioned the House of Lords that the Bishop might not insist upon his privilege, he consented to waive it (20th March 1695-6). Articles were then brought in by Lucy, and other pleadings followed, upon which a great number of witnesses were examined on each side. At length (on the 20th February 1698-9) the Bishop of St. David's tendered a protest, objecting to the Archbishop's jurisdiction, on the ground that many of the offences charged were cognisable, not in the Ecclesiastical, but in the Temporal or Common Law Courts, but this protest was overruled. On the same day the Archbishop rejected the greater part of an allegation on the part of Bishop Watson, in which he raised some objections as to the evidence, and alleged that he had been indicted at the Great Sessions at Brecon and Carmarthen for "the pretended crime of extortion," and for the same matters that were objected against him in this cause. The Archbishop also concluded the cause, and assigned it for sentence and informations. Upon this Bishop Watson appealed to the Delegates. <i>Delegates.</i> 8th June 1699.--The Delegates pronounced against the Appeal, remitted the cause, and condemned the Bishop of St. David's in costs. Easter Term 1699.--Pending this Appeal, the Bishop applied to the Court of King's Bench for a prohibition, alleging that he ought to have been cited, not before the Archbishop at Lambeth, but to the Court of Arches; and, further, that the offences charged were properly cognisable in the temporal Courts. The prohibition was refused.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
105	Commission of Appeal, dated 19th August 1699, brought in 23rd August 1699 (2nd Appeal).	-- The Reverend Father in Christ, Thomas, by Divine permission Bishop of St. David's, <i>Appellanti</i> ; against Robert Lucy, of Brecon, in the Diocese of St. David's, Esquire, <i>Respondent</i> .	-- The same Court with five Bishops as Assessors, viz.—Henry (Compton), Bishop of London; Thomas (Spratt), Bishop of Rochester; William (Lloyd), Bishop of Worcester; Gilbert (Burnet), Bishop of Salisbury; John (Hough), Bishop of Oxford; and Bishop Elect of Lichfield and Coventry.	-- Correction of Bishop for Simony, Extortion, &c.	*John, Earl of Bridgewater *Thomas, Earl of Stamford. *John, Earl of Marlborough. *Ford, Earl of Tankerville. *Louis, Lord Rockingham. *Humphrey, Bishop of Bangor. *Simon, Bishop of Ely. *John, Bishop of Norwich. *John, Bishop of Bristol. *James, Bishop of Lincoln. *John, Bishop of Chichester. *Sir George Treby, Knight, Justice of King's Bench. *Sir Edward Ward, Knight, Chief Baron of the Exchequer. *Sir John Powell, Knight, Justice of King's Bench. *Sir Lytleton Powys, Knight, Baron of the Exchequer. *Sir Henry Hatsell, Knight, Baron of the Exchequer. *Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. *John Edisbury, LL.D., Master in Chancery. *William King - } Doctors *Owen Wynne - } of *John Bridges - } Laws.	-- <i>In the principal Cause</i> , Sentence affirmed and Cause remitted, with costs.	-- 22 February 1699-1700.	Archbishop's Court. -- After the remission of the Cause by the Delegates the proceedings were resumed before the Archbishop, with five Bishops as Assessors. On the 3rd August 1699 the Archbishop, with the concurrence of all his Assessors, except the Bishop of Rochester (who consented to a suspension, but thought that a Bishop could not be deprived by an Archbishop), pronounced sentence against Bishop Watson, specifying in detail the particular acts proved against him, and declaring that he had thereby committed "the detestable crime of simony," and "a very many other enormous crimes" against the sacred Canons, and the laws received and established in the English Church. He was then sentenced to be deprived, removed, and deposed from all his honour, dignity, and place as Bishop of St. David's, and from all Episcopal office and preferment. He was also forbidden, under pain of the greater Excommunication, to wear the dress or use the insignia of a Bishop, and was condemned in costs. From this sentence Dr. Watson appealed again.

Delegates.

On this second appeal it was objected by Lucy that Dr. Watson stood convicted, by the Archbishop's sentence, of simony, "and other enormous crimes," and that therefore the cause was not appealable, but the objection was overruled (25th August 1699).

Subsequently (31st October 1699) the Court decreed Bishop Watson to be suspended, *pendente lite*, from the exercise of his Episcopal office. When the appeal came on for hearing (16th February 1699-1700) the Bishop's Counsel insisted that the Archbishop had no jurisdiction, but the Delegates were unanimously of opinion that both the Archbishop and the Court of Delegates had jurisdiction, and ordered the Counsel to proceed. Ultimately (22nd February 1699-1700) the Court by its final sentence confirmed the decree of deprivation pronounced by the Archbishop, remitted the cause, and condemned Dr. Watson in costs. Pending this second Appeal the Bishop claimed to resume his parliamentary privilege, but this the House of Lords, after hearing Counsel on both sides, disallowed.

Hilary Term, 1699-1700.—Bishop Watson then moved again in the Court of King's Bench for a prohibition, on the ground that the Archbishop could not deprive a Bishop; but the prohibition was refused.

Lastly, he applied for a Writ of Error on the denial of the prohibition. The writ was granted, but the House of Lords, after hearing Counsel and the opinion of the Chief Justice, refused to receive it (March 1699-1700).

He was afterwards arrested on a writ *de Excommunicato capiendo* for non-payment of the costs, and imprisoned for some time in Newgate, but the writ was subsequently quashed for informality by the Court of Queen's Bench (Michaelmas Term 1702). Later still, in order to dispossess him of his temporalities, which he seems to have refused to give up, an *Information of Intrusion* was exhibited against him in the Court of Exchequer. Judgment being given against him, he appealed to the Exchequer Chamber, and finally brought the case, by Writ of Error, before the House of Lords, by which it was at length dismissed for *laches* of the Plaintiff in error (1704-5). See *Lord Raymond's Reports*, vol. I., pp. 447, 539; vol. II., pp. 790, 817. *Salkeld's Reports*, vol. I., p. 134. *Corlidge's Reports*, p. 484. *Modern Reports*, vol. V., p. 433 (as the *Bishop of Chester's Case*), and vol. VII., p. 117. *Hovell's State Trials*, vol. XIV., p. 447. *Burnet's History of His Own Times*, vol. III., 250, 276; IV., 77, and *Burns' Eccles. Law*, *passim*.

Consistory Court.

- - The suit was promoted by Watkins against Gwyn for assaulting a parishioner in the churchyard, for neglect of his ministerial functions, for frequenting alehouses, not keeping the churchyard fences in repair, turning cows, &c., into the churchyard, and keeping grain in the steeple, &c.

25th May 1699.—The Court dismissed and absolved Gwyn, imposed perpetual silence upon Watkins, and condemned him in costs.

Archies.

21st November 1700.—The Court of Arches pronounced that it was clear, from the evidence given in the Court below, that Gwyn had frequented alehouses, had remained there at night, and had been given to tipping; ordered him to abstain therefrom in future, and condemned him in costs in both Courts.

Delegates.

7th November 1701.—The cause had been assigned for the decision of the Delegates as to the admission of an allegation on the part of Watkins; but his Proctor having on this day stated that Watkins was dead, no decree was pronounced. There seem to have been no further proceedings.

Consistory of London.

- - The suit was promoted by Sir Hugh Everard, a parishioner of Great Waltham, against Oswald, the vicar, for adultery, drunkenness, and neglect of duty, &c. Oswald appealed from the rejection (on the 14th May 1700) of an allegation brought in by him.

Archies.

18th June 1700.—The Court of Arches affirmed the decision of the Consistory Court, retained the cause, and condemned Oswald in costs. Oswald appealed from a subsequent order of the Judge concluding the cause and assigning it for sentence (30 May 1701).

Delegates.

19th February 1702-3.—The sentence in this case has not been found; but it appears, from a minute of this date, that the Delegates read the sentence porrected by Everard's proctor, after reforming it and striking out the clause as to costs.

- - Proceedings discontinued.

19 February 1702-3.

- - Sentence in favour of Respondent, but without costs.

Henry, Bishop of London
Thomas, Bishop of Rochester.
John, Bishop of Norwich.
John, Bishop of Chichester.
John, Bishop of Oxford.
Sir Charles Hedges, Knight, LL.D.,
Principal Secretary and Judge of
High Court of Admiralty.
Sir Edward Ward, Knight, Chief
Baron of Exchequer.
Sir John Turtton, Knight, Justice of
Common Pleas.
Sir John Powell, Knight, Justice of
King's Bench.
Sir Littleton Powis, Knight, Justice
of Common Pleas.
Sir John Blencowe, Knight, Justice
of King's Bench.
Sir Richard Raines (Knt.), LL.D.
(Master of the Prerogative Court
of Canterbury).
(Sir Thomas) Pinfold (Knt.), } Doctors
(William) Oldys }
(Sir Henry) Newton (Knt.) } of
(Chancellor of Diocese of } Laws.
London) } - - }

Simon, Bishop of Ely - -
*John, Bishop of Norwich.
*John, Bishop of Chichester.
*Sir John Blencowe, Knight, Justice of
King's Bench.
Sir Henry Gould, Knight, Justice
of Common Pleas.
*Sir Robert Tracy, Knight, Baron of
Exchequer.
*Sir Richard Raines, Knight, LL.D.,
Master of the Prerogative Court
of Canterbury.
*William Oldys - - } Doctors
*Richard Pagitt - - } of
*William Clements - - } Laws.
*John Harwood - - }

- - Correction of
Clerk for assault,
neglect of duty, &c.

- - Arches, on appeal
from the Consistory
of Hereford.

- - James Gwyn, Clerk,
Rector of New Radnor, in
the County of Radnor and
Diocese of Hereford, *Appellant*;
against
Hugh Watkins, of New
Radnor, *Respondent*.

Commission of
Appeal dated
January
1700-1,
brought in
13th May
1701.

- - Correction of
Clerk for adultery,
drunkenness, neg-
lect of duty, &c.

- - Arches, on appeal
from the Consistory
of London.

- - John Oswald, Clerk,
Vicar of Great Waltham,
in the County of Essex,
Appellant;
against
Sir Hugh Everard, Bart.,
of the same Parish, *Re-
spondent*.

Commission of
Appeal dated
14th June
1701, brought
in 27th June
1701.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
108	Commission of Appeal dated 16th December 1701, brought in 10th January 1701-2	-- William Baker, Clerk, Succentor, and Prebendary of Lichfield Cathedral, <i>Appellant</i> ; against George Hand, Notary Public of Lichfield, <i>Respondent</i> .	-- Arches	-- Correction of Clerk for adultery.	Henry, Bishop of London Thomas, Bishop of Rochester. John, Bishop of Norwich. Sir Thomas Trevor, Knight, Chief Justice of King's Bench. Sir Edward Ward, Knight, Chief Baron of Exchequer. Sir John Powell, Knight, Justice of King's Bench. (Sir Henry) Newton (Knight), LL.D., (Chancellor of Diocese of London). (George) Bramston } Doctors (Richard) Pagit } of (John) Harwood } Laws. (William) Clements }	Proceedings discontinued	-	<i>Archæ.</i> -- The suit came before the Court of Arches by Letters of Request from the Diocesan Court of Lichfield. Baker was charged with fornication and adultery. It would seem from the evidence that Hand, who promoted the suit, acted at the instance of the Chancellor of Lichfield, against whom certain charges had been made by Baker. Baker appealed from the admission (in part) of an allegation on behalf of Hand (9th December 1701). <i>Delegates.</i> 7th July 1703.—The Court ordered Hand to give security for costs, but there seem to have been no further proceedings.
109	Commission of Appeal dated 17th January 1701-2, brought in 3rd February 1701-2.	-- Charles Garrett, Notary Public, a Proctor of the Consistory of London, <i>Appellant</i> ; against Godfrey Lee, a Proctor General of the Court of Arches, <i>Respondent</i> .	-- Arches	-- Correction of Layman for adultery.	Sir Edward Ward, Knight, Chief Baron of Exchequer. Sir John Powell, } Justices of Knight } King's Bench. Sir John Blencowe, } Knight } Robert Tracy } Barons of Sir Thomas Bury, } Exchequer. Knight } (Sir Charles) Hedges (Knight), LL.D. (Judge of the High Court of Admiralty). (Sir Richard) Raines (Knight), LL.D. (Master of Prerogative Court of Canterbury). (William) Oldys } Doctors (John) Harwood } of (William) Clements } Laws. (Thomas) Ayliffe } (John) Exton }	-- Cause agreed	4 July 1702	<i>Archæ.</i> -- The suit was brought before the Court of Arches by Letters of Request from the Consistory of London. It was promoted by Lee against Garrett (who had served his clerkship to Lee) for adultery with Lee's wife. Garrett appealed from an Order of the Court of Arches, rejecting an allegation brought in by him and concluding the cause (21st November 1701). <i>Delegates.</i> 4th July 1702.—A minute of this date states that "Mr. Lee and Mr. Garret both appeared personally, "consented to the time, place, and judges; and did "mutually consent and agree not to proceed further, "and did declare that they will not proceed further in "this Cause."

Consistory of Chester.

-- The suit was promoted in the year 1700, by Heslop, one of the school wardens, against Horne, who was in deacon's orders, for not being in priest's orders, as required by the statutes of the school, for deficiency of learning, drunkenness, and neglect of duty.

While the suit was pending in the Consistory Court, Horne obtained from the Court of King's Bench a writ of prohibition as to the charges of disqualification, incapacity, and neglect of duty, as being matters for the cognizance of the Common Law Court, or of the visitor of the school, and not of the ordinary. But as the prohibition made no mention of the charge of drunkenness, the Court proceeded with the case on that charge.

6th February 1700-1.—The Bishop of Chester pronounced that the charge of drunkenness had been proved, dismissed Horne from his appointment, revoked his license as schoolmaster, and condemned him in costs.

Consistory of York.

Heslop, who appeared under protest, alleged that by one of the founders' statutes the ordinary was directed to correct and deprive the schoolmaster, in case the quality of his offence should so deserve; and that as the Bishop's sentence was given by authority derived from the founder, no Appeal could lie from it. In reply, Horne contended that the case had been tried by the Bishop as ordinary, and "not in the least as visitor of the school."

The Court admitted the Appeal, but ultimately (13 November 1701) affirmed the Decree of the Court at Chester, remitted the Cause, and condemned Horne in costs.

Delegates.

There is no sentence, nor any record of the proceedings after the 15th November 1702.

Consistory of London.

-- The suit was promoted by Marshall against Whitfield, for adultery, 1st March 1700. The Court pronounced that the charge had been proved, decreed Whitfield to perform penance in a white sheet (*in lineis*) in the Parish Church of St. Martin-in-the-Fields, on three successive Sundays, and condemned him in costs.

Archies.

16th July 1701.—The Court of Arches affirmed the decree of the Consistory Court, remitted the Cause, and condemned Whitfield in costs.

Delegates.

There is no sentence, nor any record of proceedings after the 18th June 1703.

Proceedings discontinued -

Sir Thomas Trevor, Knight, Chief Justice of Queen's Bench.
Sir Edward Nevill, Knight, Justice of Queen's Bench.

Sir Thomas Bury, Knight, Baron of Exchequer.

(George) Oxenden, LL.D. (Dean of the Arches).

(Sir Richard) Raines (Knight), LL.D. (Judge of the Prerogative Court of Canterbury).

(Sir Charles) Hedges (Knight), LL.D. (Judge of the High Court of Admiralty).

(William) Oldys, LL.D.

(Sir Henry) Newton (Knight), LL.D. (Chancellor of the Diocese of London).

(George) Bramston, LL.D.

(Richard) Pagitt, LL.D.

Proceedings discontinued

Sir Edward Ward, Knight, Chief Baron of Exchequer.

Sir John Blencowe, Knight, Justice of Queen's Bench.

Sir Thomas Bury, Knight, Baron of Exchequer.

(William) Oldys - } Doctors
(Stephen) Wailer - } of
(Richard) Pagitt - } Laws.
(John) Harwood - }
(William) Clements - }

-- Correction of Schoolmaster, being a Clerk in Deacon's orders.

-- Consistory of York, on appeal from the Consistory of Chester.

-- William Horne, Master of the Grammar School of Kirkby Ravensworth, in the County of York and Diocese of Chester, *Appellant*; against William Heslop, of Kirkby Ravensworth, one of the Wardens of the said School, *Respondent*.

Commission of Appeal dated 21st March 1701-2, brought in 20th April 1702.

-- Correction of Layman for adultery.

-- Arches, on appeal from the Consistory of London.

-- Walter Whitfield, of the Parish of St. James, in the Liberty of Westminster, in the County of Middlesex, *Appellant*; against Samuel Marshall, of the Parish of St. Anne, Aldersgate, London, *Respondent*.

Commission of Appeal dated 12th June 1702, brought in 17th June 1702.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
112	Commission of Appeal dated 2nd December 1702, brought in 5th December 1702.	- - Peter Slaynhead <i>Appellant</i> ; against Matthew Page, late pretended Warden of the Parish Church of Warrington, in the County of Lancaster and Diocese of Chester, <i>Respondent</i> .	- - Consistory of York, on appeal from the Consistory of Chester.	- - Correction of Layman for adultery.	*Sir John Powel (Knight), Justice of Common Pleas. *Robert Tracy, Justice of Queen's Bench. *John Smith, Baron of the Exchequer. *Sir John Cook, Knight, LL.D., Dean of the Archies. *William Oldys - } Doctors *George Bramston - } of *Henry Newton - } Laws. *Stephen Waller - }	Sentence in favour of Appellant, with costs.	21 June 1704	<i>Consistory of Chester.</i> - - The suit was promoted by Page against Slaynhead, for adultery. The evidence against Slaynhead being, in the judgment of the Court, presumptive of his guilt, but inconclusive, leave was given him to produce a certificate under the hands of six, at least, of his neighbours, that he was leading a good and lawful life; failing this, he was to be "canonically corrected," (23rd January 1701). He was also condemned in costs. From this Decree he appealed to the Archbishop. <i>Consistory of York.</i> 30th July 1702.—The Consistory Court affirmed the Decree of the Court below, remitted the Cause, and condemned Slaynhead in costs; whereupon he appealed again. <i>Delegates.</i> 21st June 1704.—The sentence in this case has not been found, but it appears from a Minute of this date, that the Delegates, after hearing advocates and counsel on each side, read the sentence corrected by the Appellant's Proctor, absolving and dismissing Slaynhead, the Appellant, and condemning the Respondent, Page, in costs. - - Subsequently Page obtained a Commission of Review to rehear the Appeal, but it appears from a Minute in the Assignment Book, dated 15th February 1705-6, that the Delegates on this Commission also read the sentence corrected by Slaynhead's Proctor, and remitted the Cause, apparently with costs. The "corrected" sentence has not been found.
113	Commission of Review, dated 28th February 1704-5, brought in 25th October 1705.	- - Matthew Page, &c. against Peter Slaynhead.	- -	- -	Henry, Bishop of London - *Thomas, Bishop of Rochester - *George, Bishop of Bath and Wells *Sir Edward Ward, Knight, Chief Baron of the Exchequer. *Sir John Blencove (Knight), Justice of Queen's Bench. Sir Thomas Bury, Knight, Baron of the Exchequer. *Richard Pagit - *William Clements - } Doctors *Thomas Ayliffe - } of *John Exton - } Laws. *Charles Heriott - }	Sentence of former Delegates affirmed and Cause remitted.	15 February 1705-6.	

114	Commission of Appeal dated 20th April 1703, brought in 24th April 1703.	-- Thomas Nosworthy, of the Diocese of Chester, Gentleman, <i>Appellant</i> ; against the Venerable Thomas Wainwright, LL.D., Vicar General of the Rev. Father in Christ, Nicholas, Bishop of Chester, and Henry Prescott, his Registrar, <i>Respondents</i> .	-- Consistory of York on appeal from the Consistory of Chester.	-- Correction of Layman suspected of adultery.	Sir Littleton Poyrys, Knight, Justice of Common Pleas. Sir John Blencowe, Knight, Justice of Queen's Bench. John Smith, esq., Baron of the Exchequer. *Sir John Cooke, Knight, LL.D., Dean of the Arches. *William Oldys - } Doctors (Henry) Newton - } of *George Bramston - } Laws. * — Lane - }	-- Decrees of Courts below reversed, with costs.	17 July 1704 -	-- Nosworthy was presented by the Churchwardens of Poulton, in Lancashire, as being suspected of adultery. He denied the charge, but the Court ordered him to do penance by reading publicly in the parish church a declaration to the effect that he begged pardon, and promised to abstain in future from giving cause for the scandal complained of. He appealed from a sentence of excommunication pronounced against him (16 July 1702) for not performing the penance. <i>Consistory of York.</i> 10th December 1702.—The Court affirmed the decree of the Court below, remitted the Cause, and condemned Nosworthy in costs. <i>Delegates.</i> 17th July 1704.—By consent of the Proctors on both sides the Appeal was determined by the Civilians alone, without the Judges " <i>e foro seculari</i> ." The Civilians then, by their Interlocutory Decree, pronounced for the Appeal, reversed all the decrees of the Courts below, absolved Nosworthy from the sentence of excommunication, and dismissed him from all further observance of justice. They also condemned the Respondents in costs. <i>Consistory of St. Asaph.</i> -- The suit was instituted on the presentment of the Churchwardens against Brydget Mytton, for laying violent hands on and striking one William Lunley and others during Divine Service in the parish church of Myvrod, Montgomeryshire. Mytton not having appeared to the citation, the Court passed sentence of excommunication against her (8th December 1702). <i>Arches.</i> 16th June 1703.—The Court of Arches annulled the sentence of excommunication, and condemned Moulding in costs. <i>Delegates.</i> 17 February 1703-4.—The Minute of this date consists of the word "Pax." There were no further proceedings. <i>Archbishop's Court.</i> -- Clayton was cited before the Archbishop to show cause why he should not be pronounced contumacious, &c. for not appearing at the Visitation held by the Archbishop in Christ Church, Dublin. He seems to have appealed from the order for the issue of the citation (6th August 1703). See succeeding case of <i>Bishop of Kidare v. Archbishop of Dublin</i> (1704). <i>Delegates.</i> No proceedings are recorded after the 15th March 1705-6. The Cause had been under treaty of agreement.
115	Commission of Appeal dated 19th July 1703, brought in 24th July 1703.	-- Geoffrey Moulding, Notary Public, <i>Appellant</i> ; against Brydget Mytton, Wife of Richard Mytton, esq.; <i>Respondent</i> .	-- Arches on appeal from the Consistory of St. Asaph.	-- Brawling	(William) Oldys - } (George) Bramston - } Doctors (Richard) Pagit - } of (John) Harwood - } Laws. (William) Clements - } (Thomas) Ayliffe - } (John) Exton - }	-- Cause agreed	17 February 1703-4.	--
116	Commission of Appeal dated 11th September 1703, brought in 14th October 1703.	-- Rev. John Clayton, Clerk, Prebendary of St. Mitcham, and Canon of the Cathedral Church of the Holy Trinity, otherwise Christ Church, Dublin, <i>Appellant</i> ; against The Most Rev. Father in Christ, William, Archbishop of Dublin, Primate of Ireland, <i>Respondent</i> .	-- Court of Archbishop of Dublin, held during his Visitation.	-- Correction of Clerk for non-appearance at Archbishop's Visitation.	Henry, Bishop of London Thomas, Bishop of Rochester. John, Bishop of Norwich. Sir Thomas Trevor, Knight, Chief Justice of Queen's Bench. Sir John Powell, Knight, Justice of Common Pleas. Robert Tracy, esq., Justice of Queen's Bench. Sir John Cook, Knight, LL.D., Dean of Arches. George Bramston - } Doctors John Harwood - } of Richard Pagit - } Laws. William Clements - }	-- Cause agreed (?)	--	--

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
117	Commission of Appeal, dated 5th September 1704, brought in 14th September 1704.	- - The Rev. Father in Christ, William Bishop of Kildare and Dean of the Cathedral of Christ Church (otherwise the Holy Trinity), Dublin, and Syndic or lawful Proctor of the Chapter of the same Church in the stead, place, and name of the said Chapter, <i>Appellant</i> ; The Most Rev. Father in Christ, William, Archbishop of Dublin, Primate and Metropolitan of Ireland, and John Sale, Notary Public, his Registrar, <i>Respondents</i> .	- - Court of Archbishop of Dublin.	- - Correction of Bishop for non-appearance (as Dean) at Archbishop's Visitation.	Henry, Bishop of London - Thomas, Bishop of Rochester. John, Bishop of Norwich. Sir Thomas Trevor, Knight, Chief Justice of Queen's Bench. Sir John Powell, Knight, Justice of Common Pleas. Robert Tracy, esq., Justice of Queen's Bench. Sir John Cook, Knight, LL.D., Dean of the Archdeacon. George Braunton - } Doctors John Harwood - } of Richard Pagit - } Laws. William Clements - }	- - No sentence was pronounced by this Commission.	-	- - This was apparently a similar suit to that immediately preceding of <i>Clayton v. The Archbishop of Dublin</i> , the exhibits in that Appeal being used as evidence in this, and the same Delegates being appointed in the first instance to hear both Appeals. It appears that the Deanery of Christ Church, or the Holy Trinity, Dublin, had lately been annexed to the See of Kildare, and the question arose whether the Capitular body, which had been originally constituted by Henry VIII. out of the Priory of the Holy Trinity, Dublin, was subject to visitation by the Archbishop, or as a Royal Donative by the Crown only. The Case seems to have originated in Proceedings instituted by the Archbishop of Dublin against the Bishop of Kildare, for contumacy in not appearing, as Dean of Christ Church, at the Archbishop's Visitation. <i>Delegates.</i> Before the Case came on for hearing, two Commissions of Adjuncts were issued; the first dated 17th October 1707, the second 1st May 1709. There is no minute of the introduction of either, but it is stated in the Repertory Book that the first was brought in on the 29th November 1707. The first added <i>two</i> Bishops, the second <i>three more</i> to the Delegates originally named. Why these Adjuncts were required does not appear.
First Commission of Adjuncts, dated 17th October 1707, brought in 29th November 1707.	- - ditto	- - ditto	- - ditto	- - ditto	The same Delegates, with the addition of— <i>Gilbert</i> , Bishop of Salisbury, and <i>William</i> , Bishop of Carlisle.	- - - - ditto	-	- - On the 28th May 1709, the Court, then consisting of the Civilian Delegates only, ordered, "That the Bishops be waited on by the Registrar to know if they can attend to hear the Cause within a month or two, or before Michaelmas Term, and whether they will attend the Informations;" but it appears from the subsequent Minutes that the Informations were had before the Civilian only, the Bishops being present only on the day on which the decision of the Court was given. On that day (18th May 1710) "The Judges" (meaning, apparently, the whole body of Delegates present), "upon hearing the Counsel open the Cause on both sides, and the Allegations, <i>hinc inde</i> , read in the principal Cause," declared that they had "no jurisdiction to proceed therein in relation to the point in question between the said parties deduced in the said Allegations as not properly cognizable before them, it being pleaded on the part of the party appellant that the matter in question is concerning a Royal Donative properly triable at Common Law."
Second Commission of Adjuncts, dated 1st May 1710.	- - ditto	- - ditto	- - ditto	- - ditto	* <i>John</i> , Bishop of Lichfield and Coventry. * <i>Charles</i> , Bishop of Norwich. * <i>Thomas</i> , Bishop of Chichester. * <i>Henry</i> , Bishop of London. * <i>Thomas</i> , Bishop of Rochester. * <i>John</i> , Bishop of Ely (translated from Norwich). <i>Gilbert</i> , Bishop of Salisbury. <i>William</i> , Bishop of Carlisle. * <i>Sir Thomas Trevor</i> , Knight, Chief Justice of Queen's Bench. * <i>Sir John Powell</i> , Knight, Justice of Common Pleas. * <i>Robert Tracy</i> , esq., Justice of Queen's Bench. * <i>Sir John Cook</i> , Knight, LL.D., Dean of Arches. * <i>George Braunton</i> - } Doctors * <i>John Harwood</i> - } of * <i>Richard Pagit</i> - } Laws. * <i>William Clements</i> - }	- - Proceedings stayed for want of jurisdiction.	18 May 1710	The question at issue in this suit seems to have been revived at a Visitation held by the Archbishop of Dublin on the 9th April 1711, when the Bishop of Kildare, as Dean of Christ Church, refused to appear, and closed the doors of the Cathedral against the Archbishop. For this the Archbishop impleaded him in the "Court Christian" for contempt, whereupon the Bishop of Kildare moved, in the Court of Common Pleas (Ireland), for a Prohibition, and, on its being refused, brought the Case, by

* Present when the Court held that it had no jurisdiction.

Writ of Error, through every Court successively up to the House of Lords, which confirmed the decision of the Courts below in refusing the Prohibition. See *Brown's Cases in Parliament*, vol. 2, p. 179. It does not appear what Sentence, if any, was ultimately pronounced in this Case by the Archbishop. There seems to have been no appeal to the Delegates, in England, at least. See *Phillimore's Burns*, vol. iv, p. 19 (9th edition).

From comparison of these two cases it would appear that the Delegates in the former Case took a more restricted view of their own jurisdiction than was taken by the Common Law Courts in the latter case of the jurisdiction of the Archbishop of Dublin.

- - At a Visitation held at Abingdon in 1701, by the official of the Archdeacon of Berks, Pusey and Shury, then Churchwardens of Marcham, presented Jones for speaking against the Book of Common Prayer, Neglect of Duty, Brawling, and other offences. Jones was charged with saying that the Book of Common Prayer was good for nothing, and that people, if they were fond of it, might as well read it at home as come to Church to hear it there; also, that the "Assembly's Catechism" was to be preferred to the Church's Catechism.

Consistory of Sarum.

The Archdeacon having no jurisdiction in such cases (see *Jones v. Curtis*, &c., No. 119), a suit was instituted by the Churchwardens in the Consistory of Sarum, where, on the 20th April 1703, the Bishop, with his Chancellor, gave sentence that Jones had repeatedly spoken words in contempt of the public prayers of the Church of England, and for that and other causes suspended him from his office for six months, and until he should satisfy the Bishop of Salisbury in the premises, and condemned him in costs.

Archæes.

26th May 1704.—The Court of Archæes affirmed the Decree of the Consistory Court, remitted the Cause, and condemned Jones in costs.

Delegates.

In the course of the Appeal (18th February 1706-7), Jones appeared, and offered to refer the determination of the Cause to the Archbishop of Canterbury, but this offer seems not to have been accepted. Ultimately (24th May 1707) the Delegates, by their Interlocutory Decree, pronounced for the Appeal, but confirmed the Decree of the Consistory Court of Sarum, so far as it had suspended Jones for six months, and had condemned him in costs, striking out, however, the words, "and until he shall have satisfied the Bishop of Salisbury in the premises." They also condemned Jones in the costs of the Appeal to the Court of Archæes, but the Respondents in the costs of the final Appeal.

24 May 1707

- - Decree of Court of Archæes varied.

- Henry, Bishop of London
- *John, Bishop of Norwich.
- *John, Bishop of Chichester.
- *Sir Edward Ward, Knight, Chief Baron of Exchequer.
- *Sir John Powel, Knight, Justice of Queen's Bench.
- *John Smith, esq., Baron of Exchequer.
- (Sir Richard) Raines (Knight), LL.D. (Master of Prerogative Court of Canterbury).
- *George Bramston - } Doctors
- *Richard Pugh - } of
- *William Clements - } Laws.
- *Thomas Ayliffe - }

- - Correction of Clerk for speaking against the Book of Common Prayer, Neglect of Duty, &c.

- - Archæes, on Appeal from the Consistory of Salisbury.

- - David Jones, Clerk, Vicar of Marcham, in the County of Berks and Diocese of Salisbury, *Appellanti*; against Anthony Pusey and John Shury, late Churchwardens of the same Parish, *Respondents*.

Commission of Appeal dated 20th October 1704, brought in 8th November 1704.

120	Commission of Appeal dated 11th July 1705, brought in 26th July 1705. (1st Appeal.)	-- Richard Brereton, Recorder of Westborne, in the Archdeaconry and Diocese of Chichester, <i>Appellant</i> ; James Lane, Notary Public and Proctor of the Consistory Court of Chichester, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Chichester.	-- Correction of Clerk for immorality.	*Sir Edward Ward, Knight, Chief Baron of the Exchequer. *Robert Tracy, esq., Justice of Queen's Bench. *John Smith, esq., Baron of the Exchequer. (Sir Richard) Raines (Knight) LL.D. (Master of Prerogative Court of Canterbury). *Richard Pagitt - } Doctors *Thomas Ayliffe - } of *John Exton - } Laws. *Charles Herriott - }	16 February 1705-6.	-- Appeal pronounced against, and Cause remitted with costs.	-- The suit was promoted by Lane against Brereton, in 1705. 15th December 1704.—The first appeal was from the admission as a witness in this Court of one Anne Watson, with whom Brereton was charged with having committed fornication. It seems that she had been sentenced to do penance, and Brereton objected that she was legally infamous, and therefore inadmissible as a witness. <i>Arches.</i> The Court of Arches pronounced against the Appeal, and remitted the Cause. <i>Delegates.</i> 16th February 1705-6.—The Delegates pronounced against the Appeal, with costs, and remitted the Cause.
121	Commission of Appeal dated 20th August 1707, brought in 18th September 1707. (2nd Appeal.)	-- ditto	-- ditto	-- ditto	Sir Edward Ward, Knight, Chief Baron of the Exchequer. Robert Tracy, esq., Justice of Queen's Bench. John Smith, esq., Baron of the Exchequer. Thomas Ayliffe - } Doctors (Humphrey) Henchman - } of (George) Paul - } Laws. (Henry) Penrice - }	Proceedings discontinued	-- On the remission of the Cause, the proceedings were resumed in the Consistory Court. Subsequently, Brereton having applied to the Court to suppress Anne Watson's depositions, the Judge refused to do so, as it appeared from the Acts of the Court that she had performed the penance enjoined upon her. Upon this, Brereton appealed again (13th January 1706-7). <i>Arches.</i> 18th July 1707.—The Court of Arches affirmed the Order of the Consistory Court, remitted the Cause, and condemned Brereton in costs. <i>Delegates.</i> 7th May 1709.—The Appellant's Proctor produced the late Act of General Pardon (apparently the Act 7 Anne, cap. 22), and claimed the benefit of it for his client. There were no further proceedings.	
122	Commission of Appeal dated 14th January 1706-7, brought in 20th January 1706-7.	-- John Turner, Clerk, Curate of Coverham, in the County of York and the Diocese of Chester, <i>Appellant</i> ; against Henry Watson, of Coverham aforesaid, <i>Respondent</i> .	-- Consistory of York, on Appeal from the Commissary Court of the Bishop of Chester, in the Archdeaconry of Richmond.	-- Correction of Clerk for drunkenness, neglect of duty, marrying without banns or license.	John, Bishop of Chichester - William, Bishop of Lincoln. William, Bishop of Oxford. Sir Edward Ward, Knight, Chief Baron of the Exchequer. Sir Henry Gould, Knight, Justice of Common Pleas. Robert Tracy, esq., Justice of Queen's Bench. (Thomas) Ayliffe - } Doctors (Charles) Herriott - } of (Henry) Penrice - } Laws.	Proceedings discontinued	-- The Suit was promoted by Watson against Turner, for drunkenness, neglect of duty, and for marrying parties clandestinely, without Banns or License. 23rd April 1706.—Turner not having appeared, the Court pronounced him to be contumacious; held, that the charges had been proved, and revoked his license as Curate. <i>Consistory of York.</i> 5th December 1706.—The Court pronounced against the Appeal, remitted the Cause, and condemned Turner in costs. Turner appealed in <i>formâ pauperis</i> . <i>Delegates.</i> The Appeal was assigned for Sentence and Informations on the 14th November 1707; but there seem to have been no further proceedings.	

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
123	Commission of Appeal, dated 8th January 1708-9, brought in 28th January 1708-9.	-- William Newton, Gentleman, <i>Appellant</i> ; Francis Thwaites, Clerk, M. A., Thomas Saunderson, and John Greaves, Notaries Public, <i>Respondents</i> .	-- Consistory of York, on Appeal from the Court of the Archdeacon of Nottingham.	-- Correction of Layman for Adultery.	Sir Edward Ward, Knight, Chief Baron of Exchequer. Sir Henry Gould, Knight, Justice of Common Pleas. Robert Tracy, Esquire, Justice of Queen's Bench. (Sir John) Cook (Knight) } (Dean of the Arches) } Doctors (George) Bramston } of Robert Wood } Laws. Humphrey Henchman } George Paul } - - -	Proceedings discontinued -	-	<i>Archdeacon's Court.</i> -- The suit was instituted against Newton by Thwaites, Official of the Archdeacon of Nottingham, on the presentation of the Curate and Churchwardens of Kirkby, in Ashfield, for adultery. 11th February 1706-7.—The Court pronounced that the charges had been proved, decreed Newton to be ecclesiastically corrected, and condemned him in costs. <i>Consistory of York.</i> 29th July 1708.—The Court pronounced against the appeal, remitted the cause, and condemned Newton in costs. <i>Delegates.</i> 11th May 1709.—Newton claimed to be pardoned, as to the excommunication, by the late Act of Grace (apparently the 7 Anne, c. 22). There were no further proceedings.
124	Commission of Appeal, dated 8th February 1708-9, brought in 22nd March 1708-9.	-- Henry Mugg, Clerk, Vicar of Inkburrow, in the County and Diocese of Worcester, <i>Appellant</i> ; Joseph Ley, Notary Public, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Worcester.	-- Correction of Clerk for non-residence, non-repair of parsonage, neglect of duty, &c.	John, Bishop of Lichfield and Coventry. Offspring, Bishop of Exeter. William, Bishop of Chester. Sir Thomas Trevor, Knight, Chief Justice of Queen's Bench. Sir John Blencowe, Knight, Justice of Queen's Bench. Robert Tracy, Esquire, Justice of Queen's Bench. (Charles) Herriott - Robert Wood - } (Henry) Penrice - } Doctors -- Mapletot - } of -- Willymot - } Laws.	Proceedings discontinued -	-	<i>Consistory of Worcester.</i> -- The suit was promoted by Ley against Mugg for non-residence, suffering the vicarage house to fall into decay, and general neglect of duty, &c. 17th July 1707.—The Court held that the charges had been proved, decreed Mugg to be suspended for three months, sequestered the emoluments of the vicarage, and directed that 10 <i>l.</i> should be paid to a Curate to take Mugg's place during his suspension, and that 50 <i>l.</i> per annum should be expended on the vicarage house, &c., until completely repaired. <i>Arches.</i> 12th November 1708.—The Court of Arches affirmed the Decree of the Consistory Court, condemned Mugg in costs, and remitted the Cause. <i>Delegates.</i> 23rd July 1709.—Mugg claimed the benefit of the general pardon contained in a recent Act of Parliament (apparently the 7 Anne, c. 22). The Delegates assigned the Cause for hearing on the point, but without fixing any day, and there seem to have been no further proceedings.

125	Commission of Appeal, dated 28th March 1710, brought in 13th May 1710.	- - Joseph May, Clerk, <i>Appellant</i> ; The Reverend Lancelot Blackburne, Dean and Canon Residentiary of Exeter Cathedral, the Reverend Thomas Newey, S. T. P., Precentor of the Choir, and Canon Residentiary, and John Gilbert, Canon Residentiary of the said Cathedral, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Exeter.	- - Dispute as to Appointment of a Vicar Choral.	John, Bishop of Ely William, Bishop of Lincoln. Charles, Bishop of Norwich. Sir Edward Ward, Knight, Chief Baron of the Exchequer. Sir John Blencowe, Knight, Justice of Queen's Bench. Robert Dormer, Esquire, Justice of Queen's Bench. (John) Bettesworth (Charles) Herriott - } Doctors (George) Paul - } of (Henry) Penrice - } Laws. --- Mapletoft - }	Cause apparently agreed -	- - May and Savery being candidates for the office of Vicar Choral of Exeter Cathedral, presented themselves according to custom, before the College of Vicars Choral for examination. The College reported that Savery was duly qualified, but May totally ignorant of music. Nevertheless a majority of the Chapter (notwithstanding the protest of the Respondents, who voted for Savery), proceeded to elect May, and, the Vicars Choral refusing to install him, he was installed by two of the Prebendaries. After some attempts at a compromise the Respondents and Savery (separately) appealed to the Bishop.	
126	Ditto	- - Joseph May, Clerk, <i>Appellant</i> ; John Savery, <i>Respondent</i> .	- - ditto -	- - ditto -	- - ditto -	- - ditto -	-	7th October 1709.—Part of their libel being rejected, the Dean, &c., and Savery again appealed. <i>Arches.</i> 20th January 1709-10.—The Court admitted the libel, retained the Cause, and condemned May in costs. Upon this he appealed to the Delegates. <i>Delegates.</i> 25th October 1711.—In a Minute of this date, it is stated that the Cause was <i>sub tractatu pacis</i> . There seem to have been no further proceedings.
127	Commission of Appeal, dated 24th July 1710, brought in 26th July 1710.	- - David Jones, Clerk, Vicar of Marcham, in the County of Berks, and Diocese of Salisbury, <i>Appellant</i> ; John Shurey and John White, Churchwardens, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Sarum.	- - Correction of Clerk for neglect of duty, &c.	Sir Thomas Parker, Knight, Chief Justice of Common Pleas. Sir John Blencowe, Knight, Justice of Queen's Bench. Thomas Bury, Esquire, Baron of Exchequer. Robert Wood (Henry) Penrice - } Doctors --- Mapletoft - } of Thomas Paske - } Laws. --- Corbett - }	Proceedings discontinued -	- - The suit was instituted against Jones on the presentment of the Churchwardens, for absenting himself from his parish, appointing an unqualified Curate, and other neglect of duty. 29th November 1709.--Jones not having appeared to the Citation, the Court pronounced him contumacious, and sequestered the vicarial tithes, &c., to provide for the salary of a curate, and the maintenance of the vicarage house, &c. Jones appealed on two grounds; (1.) That a Citation, <i>vis et modis</i> , had been issued against him without the previous ordinary Citation; (2.) That the alleged neglect of his parish was caused by his detention in the Queen's Bench Prison for debt. <i>Arches.</i> 21st July 1710.—The Court affirmed the Decree of the Consistory Court, remitted the Cause, and condemned Jones in costs. <i>Delegates.</i> There is no sentence, nor any record of proceedings after the 13th December 1712. The Appellant in this Case seems to have been proceeded against in two other Criminal Suits. See Appeals Nos. 118 and 119.	

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
128	Commission of Appeal, dated 1st November 1710, brought in 4th November 1710.	- - Ralph Banks, Gentleman, Syndic of the Mayor, Bailiffs, and Burgesses of the Borough of Wigan, in the Diocese of Chester; and Sir Roger Bradshaigh, Baronet, Ralph Winstanley, and William Glaisebrook, Parishioners of Wigan, <i>Appellants</i> : The Reverend and Honourable Edward Finch, Clerk, M.A., Rector of Wigan; and William Holland and William Taylor, Churchwardens, <i>Respondents</i> .	- - Consistory of York, on Appeal from the Consistory of Chester.	- - Suit against Rector and Churchwardens for making alterations in Church without license, &c.	†*Sir John Powel, Knight, Justice of Common Pleas. †Sir John Blencowe, Knight, Justice of Queen's Bench. †Sir Robert Eyre, Knight, Justice of Common Pleas. †Sir Charles Hedges, Knight, LL.D., Judge of the High Court of Admiralty. (John) Bettesworth, LL.D. (Dean of the Archdeaconry). †*William Clements - } Doctors †Charles Harriott - } of †*Henry Penrice - } Laws. † Present when the Interlocutory Decree was pronounced. * Present when the final sentence was given.	- - <i>On the Grievance</i> , Interlocutory Decree as to the admission of the Libel.	22 February 1710-11.	<i>Consistory of Chester.</i> - - This suit was promoted by the Appellants against the Rector and Churchwardens of Wigan, for having pulled down a gallery in the parish church, between the nave and chancel; and for having erected in its place musical instruments called "church organs," without the license of the Ordinary or the consent of the Mayor, Aldermen, and other parishioners. The 2nd, 3rd, 4th, and 5th Articles of the Promoters' libel were, in effect, as follows:— (2.) That the Corporation had from time immemorial "enjoyed particular seats or pews in the "parish church of Wigan," &c., which had been assigned to them "by way of distinction;" (3.) That "having but incommensurate seats or "places in the parish church of Wigan aforesaid, "and therein not capable of kneeling and performing "their duty in the time of Divine Service as they "should and ought," they "did, about 20 years "since, erect and build, or cause to be erected or "built, at their own proper costs and charges, a "gallery, at the entrance to the chancel of the said "church," of which they had, until shortly before the institution of the suit, exclusive and uninterrupted enjoyment; the seats previously occupied by them being in the meantime enjoyed by other parishioners. (4.) That the Rector and Churchwardens had pulled down the gallery without license from the Bishop; and, (5.) That they had refused to replace it. The Defendants' Proctor having opposed the admission of these Articles of the Libel, as being inconclusive, irrelevant, and contradictory, the Court (on the 23rd February 1709-10) rejected them. Upon this, Banks and the other Promoters appealed. <i>Consistory of York.</i> On being called upon to answer the Appellants' Libel, the Respondents' Proctor contended that he was not bound to do so, alleging that it did not agree with the Instrument or Protocol of Appeal, and he prayed that the four rejected Articles, which were set out at length in the Libel of Appeal, but had only been referred to by their numbers in the Protocol, might be struck out of the Libel. This was done accordingly by order of the Court, which, subsequently (on the 19th October 1710) pronounced against the Appeal, and remitted the Cause, with costs. Upon this, the Promoters appealed again.

Delegates.

22nd February 1710-11.—The Court, by an Interlocutory Decree, ordered “the Articles of the Libel aditory” “mitted at Chester to stand here admitted; the substance “ of the other Articles of the Libel to be offered by way “ of additional Articles . . . to be debated *super admisione*” on a future day “ at nine in the morning, “ before the Civilians.” Subsequently, the 3rd Article was reformed by pleading the Faculty (meaning, it would seem, the Faculty under which the gallery had been erected), and was then admitted, as also were some, but not all, of the Additional Articles. After some further pleadings a Commission of Adjuncts was brought in (22nd May 1712), by which several Peers and Bishops were added to the Court. The case then came on for hearing, and on the 10th June 1712 the Court pronounced sentence against the Respondents, imposed “perpetual silence” upon the Appellants, and constituted a Faculty for a seat should be delivered to the Appellants. The list of the Adjuncts in the other column has been taken from time to time in court. Besides these, there may

10 June 1712
-- In the principal Cause, Sentence in favour of the Respondents, with costs.

-- The following Peers and Bishops, who were not on the original Commission, must have been added to the Court by the Commission of Adjuncts:
*Arthur, Earl of Anglesea.
*John, Bishop of Ely.
*William, Bishop of Oxford.
*Philip, Bishop of St. David's.
*Francis, Lord Guildford.
*Thomas, Lord Trevor, Chief Justice of Queen's Bench.
* Present when the final sentence was given.

the Court pronounced sentence against the Appeal, dismissed and absolved the Respondents, imposed “perpetual silence” upon the Appellants, and constituted a Faculty for a seat should be delivered to the Appellants. The list of the Adjuncts in the other column has been taken from time to time in court. Besides these, there may have been other Delegates on the Commission who did not take part in the proceedings.

-- The suit was promoted by Ley against Dr. Walls, on the presentment of the Churchwardens, for non-residence and for suffering the vicarage house and out-buildings to fall into decay.

Consistory of Worcester.

During the progress of the suit, Dr. Walls applied to the Bishop to state in writing what he knew of certain matters mentioned in an allegation made by Walls. The Bishop, after taking counsel's opinion, stated that he was advised that he ought not to be a witness in his own Court, especially in a cause of office and correction, against one of his reverend brethren the clergy, which he had particularly reserved for his own cognisance and determination. As, however, Dr. Walls thought his answers might be useful to him, he was willing to oblige him, with the restriction that his condemnation in giving them should not be made use of as an argument to preclude him from judging in the cause, and that his answers should not be entered on the Acts, until after the publication of Walls' evidence.

Dr. Walls seems to have appealed from the refusal of the Judge of the Consistory Court to give him a copy of the Bishop's evidence, before that of his own witnesses had been published (31 May 1711).

Archies.

22nd February 1711-12.—The Court of Archies pronounced against the Appeal, remitted the cause, and condemned Walls in costs.

Delegates.

27th May 1712.—The Delegates affirmed the decree of the Court of Archies, with costs, and remitted the cause. It does not appear what further proceedings were taken after the remission of the cause to the Court of Archies.

27 May 1712
-- Decree of Court below affirmed, and cause remitted, with costs.

-- Correction of Clerk for not re-pairing Parsonage, &c.
-- Offspring, Bishop of Exeter --
*William, Bishop of Chester.
*Philip, Bishop of St. David's.
*Robert Tracy, Esquire, Justice of Queen's Bench.
*Sir Thomas Bury, Knight, Baron of the Exchequer.
*Robert Price, Esquire, Baron of the Exchequer.
(Sir Charles) Hedges (Knight), LL.D., (Judge of the High Court of Admiralty).
*Charles Herriott -- } Doctors
*Henry Raines -- } of
*William Strahan -- } Laws.
*Edward Kinaston -- }

-- Correction of Clerk for not re-pairing Parsonage, &c.

-- Archies, on appeal from the Consistory of Worcester.

-- The Reverend George Walls, S. T. P., Vicar of Wichenford in the County and Diocese of Worcester, Appellant: against Joseph Ley, Notary Public, a Proctor of the Consistory Court of Worcester, Respondent.

Commission of Adjuncts, brought in 22nd May 1712.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
130	Commission of Appeal, dated 1st August 1712, brought in 14th November 1712.	-- Joseph Trapp, Clerk, <i>Appellant</i> ; James Finlay, Clerk, <i>Respondent</i> .	-- Arches, on appeal from the Consistory of London.	-- Disputed election to Lectureship.	George, Bishop of Bath and Wells - *William, Bishop of Chester. *Philip, Bishop of St. David's. *Sir John Powell, Knight, Justice of Common Pleas. *Robert Price, Esquire, Baron of the Exchequer. *Robert Tracy, Esquire, Justice of Queen's Bench. *Henry Raines - } *Charles Herriot - } Doctors *Robert Wood - } of *Charles Pinfold - } Laws. *William Strahan - }	-- Decree of Court of Arches reversed, with costs.	23 February 1712-13.	-- Trapp and Finlay were rival candidates for the office of Lecturer, on Sundays in the afternoon, to the united parishes of St. Olave, Old Jewry, and St. Martin, Ironmonger-lane, in the City of London, and each claimed to receive a license for the office, as having been duly elected at a vestry meeting of the joint parishes. <i>Consistory of London.</i> The case was brought before the Court by Finlay, who alleged that he had been elected by a majority of four votes, the numbers being 32 to 28. Trapp replied that only 15 of the 32 were qualified to vote, the other 17 being Dissenters of various denominations who never came to hear the lecturer, or contributed to his maintenance; so that he (Trapp) in reality, had a majority of 13. 6th March 1711-12.—The Court decreed a license to Trapp on his taking the usual oaths. <i>Arches.</i> 17th July 1712.—The Court of Arches reversed the decree of the Consistory Court, pronounced that Finlay had been duly elected, and condemned Trapp, in costs. <i>Delegates.</i> 23rd February 1712-13.—The Delegates by their sentence reversed the decree of the Court of Arches, and granted to Trapp full license to hold the lectureship, on his taking the requisite oaths, and making the usual subscriptions, which he then did in Court. Finlay was condemned in costs.
131	Commission of Appeal, dated 17th February 1712-13, brought in 21st February 1712-13.	-- Daniel Baron, of the Inner Temple, London, Gentleman, <i>Appellant</i> ; James Mariette, of the Parish of St. Mary Woolnoth, London, <i>Respondent</i> .	-- Arches, on appeal from the Consistory of London.	-- Correction of Layman for Adultery.	*Robert Dornier, Esquire, Justice of Queen's Bench. Salathiel Lovel, Esquire, Baron of the Exchequer. *Sir Robert Eyre, Knight, Justice of Common Pleas. *Henry Raines - } (William) Clements - } Doctors *Humphrey Henchman - } of *Henry Penrice - } Laws. *William Strahan - }	-- Appeal pronounced against, and cause remitted, with costs.	19 May 1713	<i>Consistory of London.</i> -- The suit was promoted by Mariette against Baron, for adultery. Baron not having appeared to the citation, was sentenced to be excommunicated. Subsequently a Proctor appeared for him, under protest, and alleged that the excommunication was void; but the Court held that the Proctor could not be heard until Baron should have appeared and obtained absolution, and ordered the excommunication to be published, and proceeded to admit Mariette's Articles (14th July 1712). From this order, Baron appealed. <i>Arches.</i> The Court, after overruling an objection to Baron's appeal (21st November 1712), held that the citation had been duly executed, and condemned him in costs (9th December 1712). Articles were then brought in, and Baron being in contempt of Court for non-payment of costs, the Court, at Mariette's Petition, concluded the Cause, and assigned it for informations and sentence (16th February 1712-13). Upon this, Baron appealed again. <i>Delegates.</i> 19th May 1713.—The Delegates pronounced against the Appeal, with costs, and remitted the cause. It does not appear what further proceedings were taken in the Court below after the remission of the Cause.

132	Commission of Appeal, dated 16th May 1713, brought in 22nd May 1713.	- John Pelling, S. T. P., Rector of St. Anne's, in the Liberty of Westminster, and County of Middlesex, <i>Appellant</i> ; John Bettesworth, LL.D., Official Principal of the Court of Arches, and afterwards William Whiston, Clerk, <i>Respondent</i> .	- Arches -	- Correction of Clerk for Heresy, &c.	*Jonathan, Bishop of Winchester - *George, Bishop of Bath and Wells, William, Bishop of Chester. *Philip, Bishop of Hereford. *Adam, Bishop of St. David's. *Thomas, Lord Trevor, Chief Justice of Queen's Bench. *Robert Tracy, Esquire, Justice of Queen's Bench. *Robert Price, Esquire, Baron of the Exchequer. *Robert Wood - } *Charles Pinfold - } Doctors *Thomas Paske - } of *William Phipps - } Laws. *William Strahan - } * Present when the Court pronounced for the Appeal, and retained the Cause for Hearing.	- On the Grievance, Appeal pronounced for, and Cause retained. Proceedings subsequently discontinued.	1 July 1713	- This was in the first instance a Cause promoted by Dr. Pelling against Whiston, for Heresy, &c. Whiston living in the exempt jurisdiction of the Dean and Chapter of St. Paul's, the Judge of that Court signed Letters of Request to Dr. Bettesworth to hear the Cause in the Arches; Dr. Bettesworth, however, refused to hear it on the ground that the facilities were as great in the Dean and Chapter's Court, and that the Letters contained no suggestion why the Cause should not be heard there (19th December 1712). Dr. Pelling appealed from this refusal. <i>Delegates.</i> 1st July 1713.—The Delegates by their Interlocutory Decree pronounced against Dr. Bettesworth's decision, and in favour of the Appeal. They retained the Cause for Hearing on the Charge of Heresy, and cited Whiston to appear and answer the Articles to be brought in against him. He appeared accordingly, but under Protest, alleging that the Delegates had no right to try the charge of Heresy, and thus exercise as it were an original jurisdiction. 5th December 1713.—The Delegates, after hearing Counsel on each side, overruled the Protest, and ordered Whiston to appear at each subsequent sitting, until the final Hearing of the Cause. The Cause then proceeded, Articles were brought in, Witnesses were examined, and (on the 31st May 1715) Informations were had on the part of the Appellant, Whiston either not appearing or not offering any opposition to the Proceedings. On the 7th July 1715, a Commission of Adjuncts was brought in, addressed to all the original Delegates, with the addition of three Bishops and two Common Law Judges. About the same time the Cause was assigned for Sentence, but the day for passing Sentence was continually postponed, and none seems to have been delivered. The last Minute in the Case is dated 4th December 1716. Why the Commission of Adjuncts was issued, does not appear; the date of its introduction is given in the Repertory Book, but the Minute of the same date is missing. For a Report of some of the Proceedings, see <i>Conyngs' Reports</i> , p. 199.
	Commission of Adjuncts, and dated brought in, 7th July 1715.	- ditto -	- ditto -	- ditto -	- The Commission of Adjuncts included, in addition to the above— <i>John</i> , Bishop of Bangor. <i>William</i> , Bishop of Lincoln. <i>Charles</i> , Bishop of Norwich. <i>Sir Peter King</i> , Chief Justice of King's Bench. <i>Samuel Dod</i> , Chief Baron of the Exchequer. The Bishop of Chester, one of the former Delegates, had in the meantime become Archbishop of York, and is so described in the Commission of Adjuncts.	- Decree affirmed, and Cause remitted, with Costs.	19 July 1715	- The Proceedings were instituted by Dr. Pearson, <i>ex mero officio</i> , against Haughton for fornication and incontinency. Haughton objected to the jurisdiction of the Court, on the ground that when the citation was served he was living within the jurisdiction of the Dean and Chapter of York, and was therefore exempt from the Archbishop's jurisdiction. The Court, however, overruled the objection, pronounced that the charges had been proved, and that Haughton ought to be ecclesiastically corrected, and condemned him in costs. (9th December 1714.) <i>Delegates.</i> 19th July 1715.—The Delegates affirmed the Decree of the Consistory Court, and remitted the cause, with costs.
133	Commission of Appeal, dated 6th January 1714-15, brought in 19th January 1714-15.	- John Haughton, of the Parish of St. Michael of Belfray, in the City of York, Gentleman, <i>Appellant</i> ; The Rev. William Pearson, LL.D., Vicar General of the Archbishop of York, Primate of England and Metropolitan, <i>Respondent</i> .	Consistory of York -	- Correction of Layman for Immorality.	Gilbert, Bishop of Salisbury - *Philip, Bishop of Hereford. *Adam, Bishop of St. David's. *Sir Littleton Powys, Knight, Justice of Common Pleas. *Robert Price, Esquire, Baron of the Exchequer. *Sir James Montague, Knight, Baron of the Exchequer. *Charles Herriot - } George Paul - } Doctors Charles Pinfold - } of *William Strahan - } Laws. *John Audley - }			

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
134	Commission of Appeal, dated 25th January 1713-16, brought in 21st February 1713-16.	-- Leneve Boughton, Clerk, one of the Vicars Choral of the Cathedral Church of St. Peter's, York, <i>Appellant</i> ; The Dean and Chapter of the Cathedral, by the Honourable Henry Finch, Dean, and Edward Finch, and Samuel Terrick, Prebendaries Residentiary, their Syndics and Proctors, <i>Respondents</i> .	-- Court of Archbishop of York, as Visitor of the Dean and Chapter of York.	-- Suspension of Vicar Choral for neglect of duty, &c.	Thomas, Earl of Stamford - William, Bishop of Salisbury. George, Bishop of Bristol. John, Bishop of Oxford. *John, Lord Carteret. *Henry, Lord Carleton. *Sir Littleton Powys, Knight, Justice of Common Pleas. *Robert Tracy, Esquire, Justice of King's Bench. *Robert Price, Esquire, Baron of the Exchequer. *Robert Wood - } Doctors *Charles Heriot - } of John Audley - } Laws. *Edward Kinaston - } -- The Commission of Adjuncts was addressed to the same persons, with the addition of— *Charles, Duke of Bolton. *John, Duke of Roxburgh. *William, Bishop of Carlisle. *Edmund, Bishop of Lincoln. *Thomas Paske - } Doctors *William Phipps - } of *John Andrew - } Laws.	-- Decree affirmed, and Cause remitted, with Costs.	4 July 1716	<i>Court of Dean and Chapter.</i> -- Boughton having absented himself from his duties as Vicar Choral, the Dean and Chapter had appointed a Substitute, and sequestered the emoluments of the office for the Substitute's use. They had also appointed a Probationer Vicar Choral. It seems that Boughton wrote to the Receiver, charging him not to pay any part of his (Boughton's) share of the Rent belonging to the Vicars Choral, either to the Substitute or to the Probationer. For this the Dean and Chapter called upon him to make a suitable apology, and on his refusal, suspended him from office, and continued the sequestration of the emoluments until he should comply. (27th November 1714.) <i>Archbishop's Court.</i> On Appeal, the Archbishop as Visitor confirmed the Sentence of the Dean and Chapter (26th September 1715).
135	Commission of Adjuncts, dated 12th June 1716, brought in 26th June 1716.	-- ditto	-- ditto	--	--	--	4th July 1716.—The Delegates gave sentence in favour of the Respondents, with costs, and remitted the Cause to the Archbishop's Court. It does not appear why a Commission of Adjuncts was required in this case.	<i>Delegates.</i> <i>Archbishop's Court.</i> -- Harrison, who had been appointed Prebendary of St. John's by the Dean and Chapter of the Holy Trinity, Dublin, claimed, as such, to be Incumbent of the Parish of St. John. At a Visitation held by the Archbishop of Dublin, on the 21st April 1718, he was monished by the Archbishop to preach in the Parish Church of St. John. On the 26th May, Harrison neither having obeyed the monition nor then appearing, the Archbishop pronounced him contumacious, and sentenced him to be suspended. From this sentence he appealed to the Delegates. <i>Delegates.</i> Harrison alleged in his Appeal that King James I. had by Letters Patent, dated the 12th June 1604, granted the Rectory of St. John's, Dublin, to the then Prebendary of St. John's and his successors, and had empowered the Dean and Chapter of the Holy Trinity, on any Prebend becoming vacant, to elect a fit person, and to put him in the real possession of the place, without applying for the license or consent of the Crown or the Archbishop of Dublin. Harrison also complained that no Articles had been exhibited against him, and no proofs brought in. The Delegates, however (3 March 1719-20), pronounced against the Appeal, and remitted the cause, with costs. It seems that Harrison had been similarly suspended for not appearing at a Visitation held by the Archbishop in March 1707. On that occasion he moved for a prohibition in the Court of Common Pleas, Ireland, on the ground that the Rectory of St. John's was a Royal donative, and therefore exempt from the Archbishop's Visitation; but the prohibition was refused by all the Courts successively, including the House of Lords (10 June 1713).—See
135	Commission of Appeal, dated 16th February 1718-19, brought in 14th March 1718-19.	-- Theophilus Harrison, Clerk, S. T. P., Prebendary of St. John's, in the City of Dublin, <i>Appellant</i> ; William, Archbishop of Dublin, Primate and Metropolitan of Ireland, <i>Respondent</i> .	-- Court held by the Archbishop of Dublin on his Visitation.	-- Correction of Clerk for Contumacy in not extracting License, &c.	*Richard, Bishop of Gloucester. *Edmund, Bishop of Lincoln. *Samuel, Bishop of Carlisle. *Sir Thomas Bury, Knight, Chief Baron of Exchequer. *Robert Price, Esquire, Baron of the Exchequer. Robert Dormer, Esquire, Justice of King's Bench. Sir Robert Eyre, Knight, Justice of Common Pleas. *John Bettesworth, LL. D., Dean of the Archies. *Sir Henry Penrice, Knight, LL. D., Judge of the High Court of Admiralty. *Thomas Paske - } Doctors *William Phipps - } of *Edward Kinaston - } Laws.	-- Decree affirmed, and Cause remitted, with costs.	3 Mar. 1719-20	<i>Archbishop's Court.</i> -- Harrison, who had been appointed Prebendary of St. John's by the Dean and Chapter of the Holy Trinity, Dublin, claimed, as such, to be Incumbent of the Parish of St. John. At a Visitation held by the Archbishop of Dublin, on the 21st April 1718, he was monished by the Archbishop to preach in the Parish Church of St. John. On the 26th May, Harrison neither having obeyed the monition nor then appearing, the Archbishop pronounced him contumacious, and sentenced him to be suspended. From this sentence he appealed to the Delegates. <i>Delegates.</i> Harrison alleged in his Appeal that King James I. had by Letters Patent, dated the 12th June 1604, granted the Rectory of St. John's, Dublin, to the then Prebendary of St. John's and his successors, and had empowered the Dean and Chapter of the Holy Trinity, on any Prebend becoming vacant, to elect a fit person, and to put him in the real possession of the place, without applying for the license or consent of the Crown or the Archbishop of Dublin. Harrison also complained that no Articles had been exhibited against him, and no proofs brought in. The Delegates, however (3 March 1719-20), pronounced against the Appeal, and remitted the cause, with costs. It seems that Harrison had been similarly suspended for not appearing at a Visitation held by the Archbishop in March 1707. On that occasion he moved for a prohibition in the Court of Common Pleas, Ireland, on the ground that the Rectory of St. John's was a Royal donative, and therefore exempt from the Archbishop's Visitation; but the prohibition was refused by all the Courts successively, including the House of Lords (10 June 1713).—See

- This is a precisely similar suit, *mutatis mutandis*, to that of *Harrison v. Archbishop of Dublin*, except that Higgins appeared before the Archbishop on the 26th May 1718. He was suspended for contumacy in not procuring a License.

Consistory Court.

--- The suit was promoted by the Respondents, on the representation of the Rural Dean of Christianity, against Palmer and Jackman, for having, without license from the Ordinary, built a new pew, with curtains, and caused several coats of arms to be painted in front of the gallery of the Church, amongst others the King's Arms, "wherein" was "either wilfully or designedly omitted, the achievement of the electoral Coat of Arms of Brunswick-Lunenbourg." 21st October 1728: The Court directed the paintings to be obliterated, and the gallery to be painted of its original colour, but approved of the seat, and dismissed Palmer and Jackman from any further proceedings on that account, condemning them, however, in costs.

Archie.

2nd June 1724.—The Court of Arches confirmed the above decree, with costs.

Delegates.

24th November 1724.—On the introduction of the Commission of Adjuncts, the Delegates remitted the cause to the Court of Arches, the Appellants having, it would seem, agreed not to prosecute the Appeal (*eo quod nulla Appellatio, quatenus consensum, interposita fuit*). The Appellants were condemned in costs.

136	Ditto -	- - Francis Higgins, Clerk, M.A., Prebendary of St. Michael's, in the City of Dublin, <i>Appellant</i> ; against William, Archbishop of Dublin, Primate and Metropolitan of Ireland, <i>Respondent</i> .	- - ditto	- - ditto	- - Cause remitted (by consent ?) with costs.	24 Nov. 1724
137	Commission of Appeal, dated 9th July 1724, brought in 11th July 1724.	- - Robert Palmer and Henry Jackman, Churchwardens for the year 1720, of the Parish of St. David, in the City and Diocese of Exeter, <i>Appellants</i> ; against Nicholas Hickes and Robert Lydstone, of the same Parish, <i>Respondents</i> .	- - Arches, on Appeal from the Consistory of Exeter.	- - Suit against Churchwardens for making alterations in Church without license.	Robert Tracey, Esquire, Justice of King's Bench. Sir John Fortescue Aland, Knight, Justice of Common Pleas. Sir Francis Page, Knight, Baron of Exchequer. *Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty. *George Paul (Vicar General of Archbishop of Canterbury) - - Doctors *Charles Pinfold - - of *William Strahan - - Laws. *Extol Sayer - -	
	Commission of Adjuncts, dated 14th November 1724, brought in 24th November 1724.	- - ditto	- - ditto	- - The Commission of Adjuncts included the above-named Judges and Doctors of Law, with the addition of— <i>Richard</i> , Bishop of Winchester. <i>Thomas</i> , Bishop of Oxford. <i>Edward</i> , Bishop of Chichester.		

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
138	Commission of Appeal, dated 7th March 1725-6, brought in 11th March 1725-6.	-- Thomas Hiatt, otherwise Hiatt, of the Diocese of Worcester, <i>Appellant</i> ; Charles Hinckes and Francis Greenbank, two Proctors practising in the Consistory Court of Worcester, <i>Respondents</i> .	-- Arches, on Appeal from the Consistory of Worcester.	-- Correction of Layman, for Incestuous Marriage with deceased Wife's Sister.	Sir Robert Raymond, Knight, Chief Justice of Common Pleas. Robert Price, Esquire, Baron of Exchequer. Robert Dormer, Esquire, Justice of King's Bench. Matthew Tindall - Henry Raines - Robert Wood - George Paul - John Andrew - - Doctors - of - Laws.	Proceedings discontinued	-	<i>Consistory of Worcester.</i> -- The suit was promoted by the Respondents against Hiatt for incest, in having married one Anna Attwood, <i>alias</i> Wood, <i>alias</i> Watkins, <i>alias</i> Hiatt, his deceased wife's sister. 18th February 1724-5: The Chancellor of the Court pronounced that Hiatt had married Anna Attwood, his deceased wife's sister, thereby committing the detestable sin of incest, and that the marriage was null and void; and warned them to abstain from cohabiting in future, and condemned Hiatt in costs. In passing this sentence, the Chancellor ordered a note of his reasons to be inserted in the Acts of Court, to the effect that there was a difficulty as to the proof of the celebration of Hiatt's <i>first</i> marriage, and consequently a doubt whether he had committed <i>legal</i> incest or not, although there was no doubt as to the scandalous nature of his conduct; but that, if the condemnation was wrong, Hiatt might appeal against it, and, the question being a new one, the judgment of the Superior Court would be a law to the Consistory in future; whereas, if Hiatt were dismissed in the Consistory Court, the Superior Court could not reach him. <i>Arches.</i> 15th February 1725-6.—The Court of Arches confirmed the decree of the Consistory Court, remitted the cause, and condemned Hiatt in costs. <i>Delegates.</i> On the 27th June 1728, Dr. Paul and Dr. Andrew, the only Delegates then present, recommended the parties to apply for a Commission of Adjuncts of Bishops at their joint expense. But it does not appear that any such Commission was issued, and the proceedings seem to have been ultimately abandoned. The last minute is dated 6th February 1729-30.

[illegible]

FIFTH PERIOD — 1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
143	Commission of Appeal, dated and brought in 10th September 1729.	- - Lady Mary Rogers, Wife of Sir John Rogers, of Cornwood, in the County of Devon, Baronet, <i>Appellant</i> ; against Waltham Savery, of the same Parish, Esquire, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of Exeter, on Appeal from the Court of the Archdeacon of Totnes.	- - Correction of Parishoner for obstructing the view in Church.	*John, Marquis of Tweeddale - *Joseph, Bishop of Gloucester. *Richard, Bishop of St. David's (afterwards Bishop of Lichfield and Coventry). Thomas, Bishop of Bangor. *John, Lord Delawar. Allen, Lord Bathurst. Robert Price, Esquire, Justice of King's Bench. *Sir Francis Page, Knight, Justice of Common Pleas. Bernard Hale, Esquire, Baron of the Exchequer. Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty. *Matthew Tindall - *John Audley - *Edward Kinaston - *William Bramston } Doctors of Laws.	- - Decrees of Courts below reversed, with costs.	14 May 1731	<i>Archdeacon's Court.</i> - - The suit was promoted, in the year 1723, by Savery, as Churchwarden of the Parish of Cornwood, against Lady Mary Rogers, for hanging hats and bonnets against the screen or partition between the Church and south aisle, thereby depriving those who sat in that aisle of the sight of the Officiating Minister and the hearing of Divine Service. After some witnesses had been examined, the Proceedings were objected to by Lady Mary Rogers, on account of some informality, and the Judge pronounced the Proceedings null and void, but refused to give costs, and allowed Savery to recommence the Suit. Ultimately (26th March 1726) the Court admonished Lady Mary Rogers to desist for the future from the practices complained of, and condemned her in costs. Upon this she appealed. <i>Consistory Court.</i> 24th September 1728. — The Consistory Court affirmed the Decree of the Archdeacon's Court, and condemned the Appellant in costs. <i>Arches.</i> 25th June 1729. — The Court of Arches re-affirmed the Decree, with costs. <i>Delegates.</i> - - 14th May 1731. — The Delegates pronounced for the Appeal, and reversed the Decrees of all the Courts below, with costs. It does not appear what were the grounds of this decision, or why either of the Commissions of Adjuncts was issued in this case. There is no minute in the Assignment Book of the introduction of the Second Commission of Adjuncts ; but it is stated in the Repertory Book that it was brought in on the 6th May 1731.
144	First Commission of Adjuncts, dated 11th November 1730, brought in 14th November 1730. Second Commission of Adjuncts, dated 22nd February 1730-31, brought in 6th May 1731. Commission of Appeal, dated 3rd October 1729, brought in 7th October 1729.	- - Mary Rogers, Daughter of Sir John Rogers, of Cornwood, in the County of Devon, Baronet, <i>Appellant</i> ; against Waltham Savery, of the same Parish, Esquire, <i>Respondent</i> .	- - ditto	- - ditto	- - The First Commission of Adjuncts included, in addition to the above, *Sir Edmund Probyn, Knight, Justice of Common Pleas. *Sir John Comyns, Knight, Baron of the Exchequer. - - The Second Commission of Adjuncts included also, William, Bishop of Bristol.	- - ditto	- ditto	- - The nature of the cause, the Delegates on the several Commissions, the Sentence, and the general course of the proceedings were the same, <i>mutatis mutandis</i> , as in the last preceding Appeal.

[illegible]

FIFTH PERIOD—1660—1789—*continued*.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
147	Commission of Appeal, dated 23rd April 1730, brought in 5th May 1730 (1st Appeal).	-- George Bearfoot, Clerk, Rector of Sydestrond, in the County of Norfolk, <i>Appellant</i> ; Thomas Elden, one of the Churchwardens of the same Parish, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Norwich.	-- Correction of Clerk for Drunkenness, refusal to bury, neglect of duty, &c.	Edmund, Bishop of London - *Francis, Bishop of St. Asaph. *Thomas, Bishop of Bangor. *Alexander Denon, Esquire, Justice of King's Bench. *Sir Edmund Probyn, Knight, Justice of Common Pleas. Sir William Thomson, Knight, Baron of the Exchequer. *George Paul (Vicar General of Primate). *Humphrey Henchman (Chancellor of Diocese of London) *John Audley - Doctors of Laws. *Eton Sayer - *Edmund Isham -	-- On the <i>Grievance</i> , Appeal pronounced against, and cause remitted, with costs.	24 Feb. 1730-1	<i>Consistory of Norwich.</i> -- The suit was promoted in the year 1727 by Elden against Bearfoot for drunkenness, profane swearing, not visiting the sick, refusing to bury the corpse of a parishioner, and general neglect of duty. 3rd Feb. 1727-28.--The Court pronounced that the charge of drunkenness had been proved, and suspended Bearfoot for three years; that the charge of neglect of duty had also been proved, and that he ought, therefore, to be canonically corrected, and condemned him in costs. <i>Arches.</i> 16th February 1729-30.--The Court of Arches rejected the prayer of Bearfoot's Proctor for further time to bring in his proofs, and assigned the cause to be concluded. Upon this Bearfoot appealed to the Court of Delegates. <i>Delegates.</i> 24th February 1730-31.--The Delegates pronounced against the Appeal, and remitted the cause, with costs. <i>Arches.</i> -- After the remission of the cause by the Delegates, the Court of Arches (on the 30th June 1731) affirmed, with costs, the decree of Suspension pronounced by the Consistory Court. Upon this Bearfoot appealed again. <i>Delegates.</i> 15th June 1732.--The cause was assigned for sentence and informations, but there seem to have been no further proceedings.
148	Commission of Appeal, dated 18th October 1731, brought in 19th October 1731 (2nd Appeal).	-- ditto	-- ditto	-- ditto	John, Bishop of Oxford Richard, Bishop of Lichfield and Coventry. Thomas, Bishop of Bangor. Sir Robert Eyre, Knight, Chief Justice of King's Bench. Sir John Fortescue Aland, Knight, Justice of King's Bench. William Lee, Esquire, Justice of Common Pleas. Humphrey Henchman (Chancellor of Diocese of London). John Audley - Doctors of Laws. Sir Edmund Isham, Baronet William Bramston - George Lee -	-- In the <i>principal Cause</i> , Proceedings discontinued.	-	

Consistory of London.

-- The suit was promoted, in the year 1728, by Meachem against Dr. Hawkins for non-residence, for leasing the tithes while non-resident, contrary to the Canons, &c.
28th February 1729-30.—The Court having dismissed Hawkins from the suit, Meachem appealed.

Archies.

22nd June 1730.—The Court of Archies reversed the decree of the Court below, pronounced that the charges had been proved, and ordered one year's profits of the benefice to be distributed to the poor and needy of the parish. From this decree Hawkins appealed.

Delegates.

There is no minute of the introduction of the Commission of Adjuncts, but it is stated in the Repertory Book that it was brought in on the 22nd April 1732. Subsequently (20th May 1732), the Delegates pronounced for the appeal, reversed the decree of the Court of Archies, and affirmed that of the Consistory of London, but made no order as to costs.

Consistory of York.

-- The suit was promoted, in the year 1729, by Thorpe against Plaxton for drunkenness, cursing, and neglect of duty, &c. It seems that Plaxton had been admonished by the Court for similar offences in the year 1727. He appealed from an order of the Court rejecting an allegation tendered on his behalf, concluding the cause and signing it for informations and sentence (23rd July 1730).

In the rejected allegation he had contended, amongst other things, that Thorpe being, as he alleged, a servant, and no householder, and paying no taxes, tithes, or oblations, had no right to institute the proceedings, which ought to have been begun by the churchwardens at the time of the Archdeacon's visitation.

Delegates.

Thorpe, the Promoter, having died pending the Appeal, the Delegates assigned the cause for hearing (*ad informandum in jure*) on the legal question, "whether by law the office of the Ordinary has not such a concern in all prosecutions of a spiritual nature, that a proper Promoter may be permitted on any emergency to carry on the cause, either in the first instance or on the appeal?"

On a subsequent day one Sir Thomas Clarges, Bart., appeared in Court and offered himself as promoter, but the Court (on the 13th May 1731) after hearing advocates, counsel, and proctors on each side, by their interlocutory decree relaxed the inhibition, on the ground that Thorpe, the Promoter, had died before the inhibition and citation were returned.

The effect of this would seem to have been to enable the Court below to resume its jurisdiction, but it does not appear whether any further proceedings were taken.

20 May 1732

-- Decree of Court of Archies reversed, but without costs.

*Sackville, Earl of Thanet
Hugh, Earl of London.
Richard, Bishop of Winchester.
*Richard, Bishop of St. David's (afterwards Bishop of Lichfield and Coventry).
William, Bishop of Bristol.
John, Lord Delawar.

*James Reynolds, Esquire, Chief Baron of the Exchequer.
*Alexander Denton, Esquire, Justice of King's Bench.

*Sir Edmund Probyn, Knight, Justice of Common Pleas.

*Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty.

*Matthew Tindall - } Doctors
*Charles Pinfold - } of
*John Audley - } Laws.
*Edward Kinaston - }

-- The Commission of Adjuncts included in addition to the above—
*John, Marquis of Tweeddale.
*Elias, Bishop of Gloucester.
*Maurice, Baron Haversham.
Allen, Baron Bathurst.

13 May 1731

-- Inhibition relaxed

George, Earl of Warrington
Archibald, Earl of Islay.

*John, Bishop of Bath and Wells.
*John, Bishop of Oxford.

Thomas, Bishop of Bangor.

*Allen, Lord Bathurst.

*Sir John Fortescue Aland, Knight, Justice of King's Bench.

*Sir William Thomson, Knight, Baron of the Exchequer.

*William Lee, Esquire, Justice of Common Pleas.

*John Bettesworth, LL.D., Dean of the Archies.

*Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty.

*Humphrey Henchman
(Chancellor of Diocese of London) - } Doctors
*Exton Sayer - } of
*Edmund Isham - } Laws.

-- Correction of Clerk for Non-residence, &c.

-- Archies, on Appeal from the Consistory of London.

-- John Hawkins, S. T. P., Rector of Bradwell *juarta mare*, in the County of Essex, and Diocese of London, *Appellant*; against Robert Meachem, of the same Parish, *Respondent*.

Commission of Appeal, dated 21st October 1730, brought in 31st October 1730.

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149

Commission of Adjuncts, dated 17th April 1732, brought in 22nd April 1732.

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-- Correction of Clerk for Drunkenness, Neglect of Duty, &c.

Consistory of York

-- Reverend John Plaxton, Rector of Sutton-on-Derwent, in the County and Diocese of York, Clerk, *Appellant*; against Jacob Thorpe, of the same Parish, *Respondent*.

Commission of Appeal, dated 23rd October 1730, brought in 17th November 1730.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	O B S E R V A T I O N S.
151	Commission of Appeal, dated 19th February 1730-1, brought in 12th April 1731.	- - The Rev. Thomas Gooch, S. T. P., Archdeacon of Essex, in the Diocese of London, <i>Appellant</i> , against The Rev. Father in Christ, Edmund Lord Bishop of London, <i>Respondent</i> .	- - Arches	- - Suit against Archdeacon for non-payment of "Pension."	*James Reynolds, Esq., Chief Baron of the Exchequer. *Sir John Comyns, Knight, Baron of the Exchequer. William Lee, Esq., Justice of Common Pleas. Robert Wood - Charles Pinfold - } <i>Doctors</i> *Edward Kinaston - } <i>of</i> *Edmund Isham - } <i>Laws.</i> *Stephen Cottrell -	- - Decree of Court of Arches reversed with costs.	25 Oct. 1732	- - This was originally a proceeding by the Bishop of London, against Gooch, for withholding payments of an annual stipend or pension of 10 <i>l.</i> alleged to be due from him by virtue of an ancient composition between the Bishop and the Archdeacons of the Diocese, for the exercise of exterior jurisdiction in causes and corrections. The process contains extracts from "The Book of Lesser Statutes," in the Registry of the Dean and Chapter of St. Paul's, in one of which the exterior jurisdiction of the Archdeacons of the Diocese of London is thus described— "Archidiaconorum quatuor potestas et officium in exteriori jurisdictione consistit ut subditorum curas gerant, eorum causas iusto libramine dirigentes, mores reformantes, et excessus corrigentes," &c. <i>Arches.</i> 4th February 1730-1.—The Court of Arches pronounced that the stipend of 10 <i>l.</i> was due from Dr. Gooch to the Bishop for the years 1723-4-5-6-7 and 8; ordered him to pay the sum of 60 <i>l.</i> to the Bishop for the same, and to pay the stipend regularly in future, and condemned him in costs. <i>Delegates.</i> 25th October 1732.—The Delegates pronounced for the Appeal, reversed the decree of the Court of Arches, dismissed and absolved Dr. Gooch, and condemned the Bishop in costs in both Courts. A motion by Gooch in the Court of King's Bench for a prohibition, on the ground that a prescriptive right was in question, was rejected. <i>See Strange's Reports</i> , p. 879. <i>Consistory Court.</i>
152	Commission of Appeal, dated 29th April 1731, brought in 19th May 1731.	- - Richard Lyddell, Esq., late of Ardingley, in the County of Sussex, but now in foreign parts, <i>Appellant</i> against William Smith, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of London.	- - Correction of Layman for Adultery.	*James Reynolds, Esq., Chief Baron of the Exchequer. *Sir Edmund Probyn, Knight, Justice of Common Pleas. Sir William Thomson, Knight, Baron of the Exchequer. Robert Wood - *Charles Pinfold - } <i>Doctors</i> *John Audley - } <i>of</i> *Edward Kinaston - } <i>Laws.</i> *William Bramston -	- - Decrees of Courts below reversed, but without costs, and proceedings then discontinued.	25 Feb. 1731-2	- - The suit was promoted in the year 1730 by Smith against Lyddell for adultery, &c. Lyddell was cited before the Court as being then resident in the parish of St. James, Westminster, and on his not appearing a citation <i>vis et modis</i> was affixed to the door of a house which he had occupied in Golden-square. Subsequently a proctor appeared for him under protest, alleging that the Court had no jurisdiction, as Lyddell had left his house in Golden-square, and acquired a fixed habitation in Paris before the citation was issued. The Court, however, (7 Nov. 1730), rejected an allegation to that effect, and decreed Lyddell to be excommunicated for not appearing absolutely. Upon this he appealed. <i>Arches.</i> The Court of Arches having dismissed his appeal, Lyddell appealed again (22 Feb. 1730-1). <i>Delegates.</i> 25th February 1731-2.—The Delegates pronounced for the Appeal, and reversed the decrees of both the Courts below, but without giving costs, and admitted the allegation tendered by Lyddell in the Consistory Court. There seem to have been no further proceedings.

Commission of Appeal, dated 9th November 1731, brought in 19th November 1731.

-- John Cortes, of Preston, in the Archdeaconry of Richmond, and Diocese of Chester, Gentleman, *Appellant*; against the Venerable William Stratford, LL.D., Commissary in the Archdeaconry of Richmond, and James Holmes, of Lancaster, in the same Archdeaconry, Gentleman, *Respondents*.

-- Correction of Layman for Adultery, &c.

*James Reynolds, Esq., Chief Baron of the Exchequer.
 *Sir Lawrence Carter, Knight, Baron of the Exchequer.
 *Sir William Thomson, Knight, Baron of the Exchequer.
 *John Bettesworth, LL.D., Dean of the Arches.
 *Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty.
 *George Paul (Vicar General of Primate) - } Doctors of
 *Matthew Tindall - } of
 Robert Wood - } Laws.

14 Nov. 1732

-- Appeal pronounced against, and Cause re-mitted, with costs.

Consistory Court.

-- The suit was promoted by Holmes against Cortes, on the presentment of the Churchwardens of Preston, for fornication and adultery.
 8th April 1730.--Dr. Stratford, as Commissary, held that the charges had been proved; ordered Cortes to do penance, and condemned him in costs.

Consistory Court.

20th May 1731.--The Surrogate of the Archbishop's Vicar General having admitted an allegation on the part of the Respondents, and decreed letters compulsory for the examination of witnesses, Cortes appealed again.

Delegates.

14th November 1732.--The Delegates pronounced against the Appeal, and remitted the Cause, with costs. It does not appear what proceedings followed the remission of the Cause to the Consistory Court.

Commission of Appeal, dated 19th February 1732-33, brought in 22nd February 1732-33.

-- William Weston, of Oakencloough, in the Chancery of Longnor and Parish of Alstonfield, in the county of Stafford, and Diocese of Lichfield and Coventry, *Appellant*; against George Hand, junior, Notary Public, one of the Proctors of the Consistory Court of Lichfield, *Respondent*.

-- Correction of Layman for Adultery, &c.

*James Reynolds, Esq., Chief Baron of the Exchequer, Knight, Justice of Common Pleas.
 *Sir Francis Page, Knight, Justice of King's Bench.
 *Alexander Denton, Esq., Justice of King's Bench.
 *Matthew Tindall - }
 *Humphrey Henchman, (Chancellor of the Diocese of London) - } Doctors of
 *William Strahan - } Laws.
 *John Audley - }
 *Stephen Cottrill - }
 † Present when sentence was pronounced on the grievance.
 * Present when sentence was pronounced in the principal cause.

9 Nov. 1733

-- On the Grievance, Decree of Court below affirmed, with costs, but Cause retained.

5 Dec. 1734

In the principal Cause, Decrees of Courts below reversed, but without costs.

Consistory Court.

-- The suit was promoted in the year 1731-32 by Hand against Weston, for fornication and adultery with one Anne Ball.

6th June 1732.--The Court held that Weston had caused grievous scandal, and warned him for the future not to consort or cohabit with Ball, under pain of the greater excommunication, and condemned him in costs.

Arches.

Weston's proctor tendered an allegation stating in effect that Anne Ball had, on a previous occasion, when examined on oath before one of the justices of the peace for the county of Stafford, virtually denied the charge now brought against Weston. The Court, however, rejected the allegation, and concluded the cause (26 January 1732-33). Upon this Weston seems to have appealed to the Delegates.

Delegates.

9th Nov. 1733.--The Delegates pronounced against the Appeal (on the Grievance), and affirmed the Decree of the Court of Arches, with costs. In the meantime the Dean of the Arches, notwithstanding the Appeal, proceeded to pass sentence, affirmed the decree of the Consistory Court with costs, and remitted the cause (15 February 1732-33). This, being apparently an "attentat" upon the jurisdiction of the Delegates, was probably the reason why in this case they retained the principal cause notwithstanding that they had affirmed the decree of the Court below on the grievance. Ultimately (5 Dec. 1734) the Delegates pronounced for the Appeal (in the principal Cause), reversed the Decrees of both the Courts below, and dismissed Weston, but made no order as to costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.
155	Commission of Appeal, dated and brought in 27th May 1734.	-- John Rushworth, Clerk, Vicar of Fillingley, in the County of Warwick, and Diocese of Lichfield and Coventry, <i>Appellant</i> ; against George Mason, Nathaniel Alsop, John Smith, and William Grove, inhabitants of the City of Coventry, <i>Respondents</i> .	-- Arches, on Appeal from the Consistory of Lichfield.	-- Suit to prevent Clerk being licensed as Usher.	Sir Edmund Probyn, Knight, Justice of King's Bench. *Sir John Comyns, Knight, Baron of the Exchequer. *Sir John Fortescue Aland, Knight, Justice of Common Pleas. *Humphry Henchman, Chancellor of Diocese of London. *John Audley - - - Doctors of *Edward Knaston - - - Laws. *William Bramston - - *George Lee - - -	Proceedings annulled	9 Dec. 1734

Consistory of Lichfield.

-- In July 1733, Rushworth had been elected, by the Mayor and Common Council of Coventry to be Usher of the Coventry Free Grammar School. Upon this, Mason and the other Respondents entered a *caveat* in the Registry of the Bishop of Lichfield and Coventry, against a license being granted to him. Being cited to state their objections, they brought in Articles (on the 20th November 1733) charging Rushworth with drunkenness, immorality, quarrelsomeness, violence, and neglect of duty, but it would seem that no proper title was prefixed to the Articles, nor did they conclude with any prayer. The Court, however, admitted the Articles, and on a subsequent day (11th December 1733) some additional positions or articles, specifying in detail the charges against Rushworth, were also admitted. Upon this he appeared to the Arches.

22nd February 1733-4.—The Dean of Arches pronounced for the Appeal, with costs. He then admitted four of the additional Articles, and ordered one other to be reformed. Subsequently (29 April 1734) Rushworth gave in a "*querela nullitatis*," objecting to the validity of the whole proceedings, especially on the ground of the admission of the Articles "without any presentment, citation, or other legal proceeding whereon to found the same." On the 7th May 1734, the Court rejected the *querela nullitatis*, and assigned the Respondents' proctor to alter the title of the Articles, and extend his prayer, which had been omitted. Upon this, Rushworth appealed again.

Delegates.

On the 7th November 1734 the Court directed an information in law upon the following question, "whether when a party has appealed from a grievance, and obtained sentence for such grievance" (he) "can afterwards bring a *querela nullitatis* upon antecedent facts to that grievance?"

The arguments of the Appellant's counsel (as stated in *Comyns' Reports*, p. 448) were as follows:—(1.) That Mason, Alsop, Smith, and Grove, being inhabitants of Coventry, were concluded by the acts of the corporate body. (2.) That they should have proceeded in a summary way, and not by way of Articles. (3.) That on Appeal the Court (of Arches) could not reform the head of the Articles, which is to make a new cause, nor extend the prayer, which is to vary entirely the nature of the proceedings. (4.) That at least this could not be done after sentence for the admission of the Articles. (5.) That the Articles charging Rushworth with misdemeanors in his spiritual function as vicar, were foreign to the matter complained of, which was whether he should have a license to teach the school. (6.) That it was not too late to insist on the nullity, which might "be objected at any time after an Appeal allowed and after 30 years, &c."

It seems that the *querela nullitatis* was allowed, for the Court, on the 9th December 1734, by its interlocutory decree, declared that "all the proceedings in this cause were and are null and void from the beginning, and that the parties be at liberty to proceed afresh before the proper judge," or, according to *Comyns' Report* (p. 450), "the parties might object *below* originally, if they had anything to object against the party's being licensed to teach school as usher." The Respondents were condemned in costs.

In Michaelmas Term 1733, soon after the first commencement of the proceedings in the Bishop's Court, Rushworth had moved in the Court of King's Bench for a *mandamus* to compel the Bishop to grant him a license. On a motion by the Bishop to supersede the writ, the Court doubted whether a license was necessary, but granted the *mandamus*, "that the question might be fully spoken to on the return." (*The King v. Rushworth, Kelynge's Reports*, p. 387, and 2 *Barnardiston's Reports*, p. 365.) The Bishop returned that a *caveat* had been entered against Rushworth being licensed, together with Articles, and he was proceeding to inquire into the truth of the charges. The case was argued in Easter Term following (1734), but the Court refused then to make the *mandamus* peremptory, and the matter was ordered to stand over: possibly on account of the appeal then pending in the Court of Arches. (*The King v. Bishop of Lichfield and Coventry*, 2 *Barnardiston's Reports*, p. 428.) It seems not to have come on again until Michaelmas Term 1735 (9 Geo. II.), i. e. nearly a twelvemonth after sentence had been pronounced by the Delegates; when "without entering much into the arguments, whether the Bishop had the power of licensing, the Court held that the return should be allowed as a temporary excuse; for though the Act of Uniformity obliges them only to assent to and subscribe the declaration, yet it adds *according to the Laws and Statutes of the Realm*, which presupposes other necessary qualifications which it is reasonable should be inquired into." (*Strange's Reports*, p. 1023.) How the case ended does not appear.

Commission of Appeal, dated 20th November 1736, brought in 22nd January 1736-7.

- - William Terry, of the parish of Saint Martin Vintry, in the City and Diocese of London, *Appellant*; against Thomas Sharpe, of the parish of Saint Sepulchre, in the county of Middlesex, and Diocese of London, *Respondent*.

- - Arches, on appeal from the Consistory of London.

Sir Francis Page, Knight, Justice of King's Bench.
Alexander Denton, Esq., Justice of Common Pleas.
Sir Lawrence Carter, Knight, Baron of the Exchequer.
Sir Henry Penrice, Knight, LL.D., Judge of the High Court of Admiralty.
Charles Finfold - } Doctors
John Audley - } of
Edward Kinaston - } Laws.
Edward Simpson - }

Cause agreed - 28 April 1737

- - Terry was charged with having committed adultery or fornication. Both he and Sharpe, the promoter of the suit, were laymen.
12th December 1735.—The Court pronounced that the charges had been proved, that Terry ought to be canonically corrected, and compelled to perform penance (the nature of which is not stated), and condemned him in costs.
Terry appealed on the ground (amongst others) that the Church of Saint Michael Royal, in which the penance was to be performed, was a peculiar jurisdiction of the Archbishop of Canterbury, and therefore exempt from the Bishop of London's jurisdiction.

Arches.

3rd November 1736.—The Court of Arches affirmed the decree of the Consistory Court, remitted the cause, and condemned Terry in costs.

Delegates.

28th April 1737.—Sharpe, the Respondent, gave an affirmative issue to the Appellant's Libel, thus, in effect, admitting the Appellant's case. There were no further proceedings.

Commission of Appeal, dated 12th March 1738-9, brought in 5th April 1739.

- - John Bellars, now, or late, one of the Churchwardens of the Parish of Seaton, in the County of Rutland, Archdeaconry of Northampton, and Diocese of Peterborough, *Appellant*; against The Rev. Henry Geast, Clerk, Rector of the same parish, *Respondent*.

- - Arches, on Appeal from the Consistory of Peterborough.

- - Correction of Clerk for preventing churchwardens from entering church.

*Sir Edmund Probyn, Knight, Justice of King's Bench.
Sir William Thomson, Knight, Baron of the Exchequer.
William Fortescue, Esq., Justice of Common Pleas.
*Edward Kinaston - } Doctors
Sir Edmund Isham, Bart. - } of
*Thomas Walker - } Laws.
Robert Foulkes - }
Edward Simpson - }

23 June 1741

- - Decrees of Courts below reversed, with costs.

Consistory Court.

- - Geast was presented at the Archdeacon's visitation by Bellars, one of the Churchwardens (the other not joining him), for having "put bolts, bars, or fastenings on the inside of the church doors in a private and clandestine manner, without the knowledge of the Churchwardens, with intent to keep them out of the church," thereby preventing them from having it properly cleaned and repaired.

Subsequently Bellars brought in Articles against Geast to the same effect in the Consistory Court.

In reply, Geast alleged that Bellars wanted to enter the church, not with a view to repairing it, but in order to ring the bells, in accordance with an alleged immemorial custom, to give notice of a court to be holden by the lord of the manor, who was also patron of the church; and that he (Geast) had the bolts put on in order to prevent Bellars gaining admission to the church without his consent. It seems that Geast had already removed the bolts.

21st July 1738.—The Court dismissed Geast from the suit, and condemned Bellars in costs.

Arches.

21st February 1738-9.—The Court of Arches affirmed the decree of the Consistory Court, and remitted the cause, with costs.

Delegates.

23rd June 1741.—The Delegates by their interlocutory decree pronounced for the Appeal, and (in the terms of the original presentment) admonished Geast to desist from putting bars, bolts, or fastenings on the inside of the church doors "in a private and clandestine manner, without the knowledge of the Churchwardens," with intent to keep them out of the church, "and prevent them from going there on weekdays to take care of the goods, repairs, and ornaments of the church, and to take care that all things there may be kept in an orderly and decent sort, without dust or anything that may be noisome or unseemly, as best becometh the house of God." They also condemned Geast in costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
158	Commission of Appeal, dated 6th July 1739, brought in 19th July 1739.	- - Richard Heath, of Hatchlands, in the Parish of East Clendon, in the County of Surrey, Esq., <i>Appellant</i> ; against The Rev. Joseph Greenhill, Clerk, Rector of the same Parish, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of Winchester.	- - Correction of Clerk for refusing to read Burial Service.	Sir Edmund Probyn, Knt., Justice of King's Bench. Sir William Thomson, Knt., Baron of the Exchequer. William Fortescue, Esq., Justice of Common Pleas. Edward Kinaston - } George Lee - } Doctors Charles Pinfold, Jun. - } of Henry Edmunds - } ws. Robert Chapman - }	- - Proceedings discontinued.	- - -	<i>Consistory of Winchester.</i> - - Heath claimed as his family burial-place a "Chapel or Chance," which was separated by a wooden partition from the rest of the parish church of East Clendon; the rector (Greenhill) refused to admit the claim. On the death of his daughter (a child under 12 months old), Heath gave directions to the parish clerk to dig a grave, and on a certain day sent Greenhill notice of his intention to have his child buried at 7 p.m. on the following evening, in order that he might be in attendance to read the service. Greenhill, not having been previously consulted, sent word, that unless his leave were asked, and some acknowledgment made to him for breaking the ground in the church, he would not bury the child. Heath took no notice of the message, but attended at the church at the time appointed, when, the rector being absent, and the curate refusing to perform the service, the body was left in the chapel unburied. 13th February 1738-39.—Heath appealed from the admission by the Court of an Allegation on behalf of Greenhill, stating the grounds on which he disputed Heath's claim to the burial-place. <i>Arches.</i> 26th June 1739.—The Court of Arches pronounced against the Appeal, but at Greenhill's petition, retained the principal Cause, admitted the Allegation, condemned Heath in costs, and granted a Decree for Answers. Upon this Heath appealed again. <i>Delegates.</i> The Appeal was assigned for sentence and informations on the 19th June 1740, but there seem to have been no further proceedings. A separate suit was instituted by Heath against Jones, the Curate of East Clendon. (<i>See next Appeal.</i>)

- - This was a precisely similar suit to that of *Heath v. Greenhill*, immediately preceding. There is no separate Process in this case.

Consistory of Salisbury.

- - Early in the year 1740, Wynn, who had recently been admitted to a vacant canonry, preferred a complaint against Sager to the Bishop of Salisbury, as Visitor, on the following grounds. One of the Lessees of the Dean and Chapter having died while the canonry was vacant, Sager, who was then Communion of the Cathedral, had agreed on behalf of the Dean and Chapter for a renewal of the lease, in consideration of a fine of 1,050 £, and this sum having been deposited with him in pursuance of the agreement, Sager had, before the vacant canonry was filled, and in order, as Wynn alleged, to defeat the new canon of his share, proceeded to divide the money with the Dean and surviving canons, although the old lease was not surrendered, nor the new lease granted, until some months after Wynn's admission.

On the other hand, Sager contended that by the customs of the Cathedral the fines paid on agreements for the renewal of leases belonged to those only who were members of the chapter when the agreements were made.

Sager appealed from the refusal of the Judge to admit certain Articles of an Allegation brought in on his behalf, as irrelevant. (26 August 1740.)

Archies.

1st December 1740.—The Court pronounced for the Appeal, and condemned Wynn in the costs incurred in both instances, retained the principal Cause, and therein admitted certain Articles of the Allegation, reserved the admission of another, and rejected the remainder.

Delegates.

27th April 1741.—The Delegates pronounced against the Appeal, and remitted the Cause, with directions that one of the admitted Articles should be reformed, and that the reserved Article should be admitted. They further directed that the Court charges should be paid jointly by the parties.

It does not appear what further proceedings were taken after the remission of the Cause to the Court of Archies.

Ditto	- - Richard Heath, of Hatchlands, in the Parish of East Clendon, in the County of Surrey, Esq., <i>Appellant</i> ; The Rev. John Jones, Clerk, Curate of the same Parish, <i>Respondent</i> .	- - ditto	- - ditto	- - ditto	- - Decree of Court of Archies affirmed, but varied, and Cause remitted.	27 April 1741
Commission of Appeal, dated 13th December 1740; brought in 19th December 1740.	- - The Rev. Hugh Wynn, Clerk, Doctor of Laws, one of the Canons Residentiary of the Cathedral Church of Salisbury, in the Province of Canterbury, <i>Appellant</i> ; The Rev. Joseph Sager, Clerk, Prebendary of the Prebend of Gillingham Major, and also one of the Canons Residentiary of the said Cathedral, <i>Respondent</i> .	- - ditto	- - A Business of Complaint against Canon Residentiary for alleged violation of Cathedral Statutes in dealing with the Capitular Revenues.	- - ditto	- - Daniel, Earl of Winchelsea and Nottingham. *Archibald, Earl of Islay. *Edward, Bishop of Durham. *Martin, Bishop of Gloucester. *Mathias, Bishop of Chichester. *John, Lord Delawar. *Thomas Parker, Esq., Justice of Common Pleas. *Martin Wright, Esq., Justice of King's Bench. *Sir Thomas Abney, Knt., Baron of the Exchequer. *Sir Henry Pearce, Knt., LL.D., Judge of the High Court of Admiralty. (William) Strahan } Doctors (Edward) Kinaston } of *Thomas Walker } Laws. (Edward) Simpson }	- - ditto

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
161	Commission of Appeal, dated 11th March 1740-41, brought in 19 March 1740-41.	- - The Reverend Thomas Eyre, Clerk, &c., Vicar General and Official Principal to the Right Reverend Father in God, John, Bishop of Bath and Wells, Appellant; against John Paine, of the City of Wells, in the County of Somerset, Respondent.	- - Arches, on Appeal from the Consistory of Wells.	- - Excommunication by Vicar General, being himself under sentence of excommunication.	*Thomas Parker, Esq., Justice of Common Pleas. *Martin Wright, Esq., Justice of King's Bench. *Sir Thomas Abney, Knight, Baron of the Exchequer. Edward Knaston - } Doctors Sir Edmund Isham, Bart. } of Edward Simpson - } Law. *Charles Pinfold, Jun. - } *Henry Edmunds - } *Present on the 30th November 1741, when the Citation, &c., was revoked, and again on the 20th January 1741-2, when the Court decreed the Cause to be remitted, with costs.	Appeal abandoned, and Cause remitted, with costs.	20 January 1741-2.	<i>Consistory of Wells.</i> - - This Appeal arose out of the service by Paine, upon Eyre, of an inhibition issued in another suit from the Court of Arches. It seems that Paine had served the inhibition upon Eyre, while sitting judicially in the Consistory Court, and on being pronounced contumacious for so doing, had asserted that, if he were excommunicated, he would have a right of action against Eyre at Common Law. Upon this, Eyre, who was himself at that time under sentence of excommunication from the Court of Arches, immediately sentenced Paine to be excommunicated. (12th August 1735.) <i>Arches.</i> On Paine's Appeal, the Court of Arches issued an inhibition against Eyre, who nevertheless proceeded to carry out his sentence against Paine, by causing him to be denounced as excommunicated. The Court, however, absolved Paine, and on Eyre persisting in his contumacy by not appearing, decreed a <i>significavit</i> to the Court of Chancery for a writ <i>de excommunicato capiendo</i>. He was subsequently permitted to appear on his paying the usual contumacy fees. 1st November 1740.—At the hearing the judge pronounced for his jurisdiction, and for the Appeal, revoked the sentence of excommunication and subsequent denunciation of Paine, as having been published after Eyre had been served with an inhibition, and being therefore an "attentat" on the jurisdiction of the Court of Arches. The Court also absolved Paine, and decreed him to be, to all intents and purposes, restored to the Communion of the Faithful, and condemned Eyre in costs. <i>Delegates.</i> 26th October 1741.—Eyre, whose Proctor declined to proceed further on his behalf, "appeared personally, and alleged that Paine had deserted his Appeal to the Arches by suffering the <i>Primum Fatide</i> (a), and not only one but two years to lapse without bringing his Cause to conclusion or sentence," and prayed that costs might be awarded; and further, that the Proctor who had hitherto represented him might be admonished to do his duty, or some other Proctor appointed in his stead. 30th November 1741.—The delegates revoked and declared null and void a citation issued by Eyre against Paine, pending the present appeal to the Delegates, and all orders made by him subsequently, as being so many "attentats" on their jurisdiction, and condemned him in costs. Afterwards (20th January 1741-2) Paine, the Respondent, having died, his executors applied for a new monition against Eyre, for the costs already decreed to be paid by him; the monition was granted, and at their further petition the Cause was, on Eyre's not appearing to prosecute the Appeal, remitted to the judge <i>a quo</i>, and a second monition issued for the further costs incurred on behalf of Paine. Subsequently (23rd January 1743-4) the costs remaining unpaid, the Court decreed a <i>significavit</i> for writs <i>de excommunicato capiendo</i> against Eyre. The suit out of which the above-mentioned proceedings arose, was an Appeal to the Court of Arches by the Reverend Edmund Archer, Archdeacon of Wells, who had been inhibited by Eyre, as Vicar General of the Bishop, from the exercise of his Archidiaconal office until he should receive a license from Eyre. The Archdeacon appealed, on the ground that at the time of issuing the inhibition, Eyre was himself under sentence of excommunication from the Court of Arches, and that the cathedral close in which the inhibition was served upon him (Archer) was in the peculiar jurisdiction of the Dean and Chapter, and therefore exempt from episcopal authority. There was no appeal in this case to the Delegates. The appeal of <i>Eyre v. Paine</i> has been inserted because, although not directly a case of discipline, it indirectly involved a charge against the Appellant, who was a clerk in holy orders. (a) <i>i. e.</i> The first twelvemonths from the commencement of the appeal, at the expiration of which the appeal might be pronounced "deserted," unless the appellant could show that he had used due diligence in prosecuting it.

Consistory of London.

-- Keith was charged with having officiated at Mayfair Chapel, in the parish of St. George, Hanover-square, without having a license from the Bishop of London, with not having caused the Baptisms and Marriages performed by him to be registered, and with refusing to pay over to the Rector and Churchwardens of the parish the money received by him at the Offertory. The promoter prayed that Keith might be ordered to desist from exercising any Ecclesiastical function within the parish, until he should have obtained the Bishop's License, and to account for and pay over the Offertory money to the Churchwardens.

Keith alleged amongst other things, that the suit was vexatiously instituted in order to distress him, and thereby oblige him to release certain lawful demands that he had against Dr. Trebeck for officiating as his curate and otherwise.

Keith appealed from the rejection of the greater part of an allegation tendered by him (19th June 1741).

Archies.

4th February 1741-2.—The Dean of Arches affirmed the Decree of the Consistory Court with costs, and remitted the Cause to the Court below, rejecting the prayer of the Respondent's Proctor, that he would retain it.

Delegates.

8th July 1742.—The Delegates pronounced against the Appeal, and remitted the Cause made to the Consistory Court, but made no order as to costs. It does not appear what further proceedings were taken in the Court below after the remission of the Cause.

Consistory of London.

-- Blackiston was charged with having cohabited with Mary Blew, a widow, without being legally married, in the forfeiture of Mary Blew's interest in a legacy, which her late husband had left to her so long as she remained unmarried. Some years previously, a Bill had been filed in Chancery by the parties entitled to the reversion of the legacy, in which it was charged that Blackiston and Blew had been secretly married, and that their interest in the legacy was thereby forfeited; but the Petitioners having as it seems failed in their attempt to prove the marriage, the present suit was instituted.

1 March 1742-3.—The Consistory Court pronounced that the charge had been proved, and condemned Blackiston, under pain of excommunication, to do penance in the Parish Church of St. Martin-in-the-Fields during the time of Divine service, and further decreed a monition, forbidding him to cohabit with Mary Blew in future. He was also condemned in costs. Blackiston appealed from this decree, on the ground that copies of the Bill and Answers in the Chancery suit ought not to have been admitted as evidence.

Archies.

21st June 1743.—The Court of Arches affirmed the decree of the Consistory Court, and remitted the Cause with costs.

Delegates.

It would seem that the Consistory Court proceeded to pass sentence of excommunication against Blackiston, probably for not having performed the penance enjoined on him, for the Delegates on the 5th December 1744, decreed him to be absolved on his taking the usual oath *de parendo juri*, &c., and paying the contumacy fees, until sentence should be given.

There seem to have been no further proceedings.

-- Correction of Clerk for officiating without a License, &c.

-- Arches, on Appeal from the Consistory of London.

-- The Rev. Alexander Keith, of the parish of St. George, Hanover-square, in the County of Middlesex, Clerk, *Appellant*;

against
The Rev. Andrew Trebeck, D.D., Rector of the same parish, *Respondent*.

Commission of Appeal, dated 8th April 1742, brought in 5th May 1742.

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*Thomas Parker, Esq., Justice of Common Pleas.
*Martin Wright, Esq., Justice of King's Bench.
*James Reynolds, Esq., Baron of the Exchequer.
*John Audley - }
*Edward Kinaston - } Doctors
*Thomas Walker - } of
*Charles Pinfold, jun. - } Laws.
*Robert Chapman

8 July 1742 -

-- Appeal pronounced against, and cause remitted, but without costs.

-- Correction of Layman for Immorality.

-- Arches, on Appeal from the Consistory of London.

-- Matthew Blackiston, of the parish of St. Martin-in-the-Fields, in the County of Middlesex, and Diocese of London, Grocer, *Appellant*;

against
William Barnard, of the parish of St. Andrew, Holborn, in the same county and Diocese, Gentleman, *Respondent*.

Commission of Appeal, dated 23rd June 1743, brought in 1st August 1743.

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Thomas Burnett, Esq., Justice of Common Pleas.
Thomas Denison, Esq., Justice of King's Bench.
*Charles Clarke, Esq., Baron of Exchequer.
Edward Kinaston
Edward Simpson
Robert Chapman
Arthur Collier - }
Robert Dale - } Doctors
of
Laws.

Proceedings discontinued

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FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
164	Commission of Appeal, dated 23rd June 1743, brought in 1st August 1743.	- - Mary Blew, of the Parish of St. Martin-in-the Fields, in the County of Middlesex and Diocese of London, widow, <i>Appellant</i> ; against William Barnard, of the Parish of St. Andrew Holborn, in the same County and Diocese, <i>Respondent</i> .	- - Archies, on Appeal from the Consistory of London.	- - Correction for immorality.	- - The same as in the case of <i>Blackiston v. Barnard</i> .	- - Proceedings discontinued.		- - The grounds of the prosecution and all the proceedings were precisely similar, <i>mutatis mutandis</i> , to those in the case of <i>Blackiston v. Barnard</i> .
165	Commission of Appeal, dated 4th November 1749, brought in 17th November 1749.	- - Elizabeth Stanfield, of the Parish of the Holy Trinity in Micklegate, within the City and Diocese of York, spinster, <i>Appellant</i> ; against The Rev. Jaques Sterne, Clerk, LL.D., Precentor and Canon Residentiary of the Cathedral and Metropolitan Church of St. Peter, York, <i>Respondent</i> .	- - Consistory of York	- - Correction of parishioner for not resorting to her Parish Church.	George, Earl of Macclesfield Mathias, Bishop of Chichester. *Richard, Bishop of St. David's. *Zachary, Bishop of Bangor. *Henry, Lord Willoughby of Parham. Samuel, Lord Sandys. *Sir Michael Foster, Knight, Justice of King's Bench. *Sir Thomas Birch, Knight, Justice of Common Pleas. *Hencage Legge, Esquire, Baron of Exchequer. *John Bettesworth, LL.D., Dean of Arches. *Edward Simpson - *Robert Chapman - } *Thomas Salisbury - } *Robert Jenner - } Doctors of Laws.	- - Appeal withdrawn and cause remitted, with costs.	18 Feb. 1750-1	- - Elizabeth Stanfield was charged with not having resorted to her Parish Church on Sundays or other holy days for the space of 11 months, and with having declared that her way of thinking would not suffer her to do so. The suit was instituted in June 1748. In the following October she brought in an Allegation, stating that she had been indicted for the same offence at the General Quarter Sessions, held at York in July, and had been convicted in the sum of 12 pence for each Sunday and holy day that she had been absent, which sum, amounting altogether to 4 l. 7 s. (i.e., for 52 Sundays and 35 holy days), she had paid; and she further alleged that the Act 1st Eliz. cap. 2, under which she had been convicted and fined, provided that a person convicted before the Justices should not "for the same offence afterwards receive punishment of the Ordinary." 28th September 1749.—The Court decreed her to be admonished to resort to her Parish Church in future, and to behave herself decently and orderly there, and to certify her so doing under the hands of the Minister and Churchwardens of the Parish. She was also condemned in costs up to the time of bringing in the Allegation with the record of her conviction at the Quarter Sessions. From this Decree she appealed.
166	- - Ditto -	- - Mary Hodshon, of the Parish of the Holy Trinity in Micklegate, within the City and Diocese of York, spinster, <i>Appellant</i> ; against The Rev. Jaques Sterne, Clerk, LL.D., Precentor and Canon Residentiary of the Cathedral and Metropolitan Church of St. Peter, York, <i>Respondent</i> .	- - ditto -	- - ditto -	- - ditto -	- - ditto -	18 Feb. 1750-1	- - The proceedings in this case were similar, <i>mutatis mutandis</i> , to those in the case of <i>Stanfield v. Sterne</i> .

Delegates.

18th February 1750-1.—Stanfield's proctor having renounced the Appeal, and consented that the cause should be remitted, the Delegates decreed accordingly, condemning Stanfield in costs.

Commission of Appeal, dated 17th February 1753, brought in 2nd March 1753.	-- Humphrey Hopper, of Black Hedley in the Parish of Shotley, in the County of Northumberland, and Diocese of Durham, <i>Appellant</i> ; against Gerard Davis, Robert Blacklock, and George Warcup, Chapel-wardens of the Chapelry of Barnard Castle, in the Parish of Gainford, in the said County and Diocese, <i>Respondents</i> .	-- Consistory of York on Appeal from the Consistory of Durham.	-- Suit against Parishoner for erecting tombstone in Chapel without authority.	*Sir George Lee, (Knight) LL.D., Dean of the Arches and Master of the Prerogative Court of Canterbury. *Sir Martin Wright, Knight, Justice of King's Bench. *Sir Edward Clive, Knight, Justice of Common Pleas. Heneage Legge, Esq., Baron of Exchequer. (Sir Thomas) Salisbury (Knight) LL.D. (Judge of the High Court of Admiralty.) Robert Chapman - } Doctors of *Robert Jenner - } *Dennis Clarke - } Laws.	-- Decree of Court at York reversed, and that of the Court at Durham affirmed with costs.	5 July 1754 -	<i>Consistory of Durham.</i> - In January 1748-9 the office of Judge was promoted by the chapel-wardens of Barnard Castle, to compel Hopper to remove a tombstone which he had erected in the Chapel in memory of his son, in the year 1734, without, as they alleged, any legal authority, and to the great inconvenience of the parishoners. Hopper in reply stated that he had originally intended to erect the tombstone over his son's grave in the chapel-yard, but had caused it to be placed in the Chapel at the request of the Curate of Barnard Castle, who had said that it would be an ornament to the Chapel, and with the consent of the Vicar of Gainford, and the then chapel-wardens. It seems that Hopper had subsequently obtained a faculty, in the year 1744, for the use of that part of the Chapel in which the tombstone was erected as a burial place, but not expressly for the erection of the tomb, 28th June 1751.—The Court dismissed Hopper, and condemned the chapel-wardens in costs.
Commission of Appeal, dated 10th March 1753, brought in 30th March 1753.	-- Elizabeth Foote of Harwood in the Parish of Calstock, in the County of Cornwall, and Diocese of Exeter, <i>Appellant</i> ; against William Richards and William Bartlett, Church-wardens of the same Parish for the year 1748, <i>Respondents</i> .	-- Arches, on Appeal from the Consistory of Exeter, on Appeal from the Court of the Archdeacon of Cornwall.	-- Brawling -	Sir Michael Foster, Knight, Justice of King's Bench. Nathaniel Gundry, Esq., Justice of Common Pleas. Sir Richard Adams, Knight, Baron of Exchequer. Sir Thomas Salisbury, Knight, LL.D., Judge of the High Court of Admiralty. Charles Pinfold, Junior - } Doctors Robert Chapman - } of Robert Jenner - } Laws. George Harris - }	- Cause agreed - 13 June 1754 -	13 June 1754 -	<i>Archdeacon's Court.</i> - Foote was charged on the presentment of the church-wardens with having spoken scandalous words in the churchyard of Calstock, against the Rector of the parish. 27th September 1751.—The Court pronounced that the churchwardens had failed in proof of the articles brought in by them; dismissed Foote from the suit, and condemned the church-wardens in costs. (During the proceedings, an Order of the Judge granting a decree for answers to certain articles of an exceptive allegation brought in on behalf of Foote was appealed from, but the Consistory Court of Exeter affirmed the Order and remitted the Cause.) <i>Consistory Court.</i> 5th June 1752.—The Consistory of Exeter reversed the decree of the Archdeacon's Court, pronounced that the charges had been proved; suspended Foote from going into Church for one month, and condemned her in costs in both Courts. <i>Arches.</i> 23rd February 1753.—The Court of Arches affirmed the Decree of the Consistory of Exeter, and remitted the Cause with costs. (See <i>Lee's Reports</i> by <i>Phillimore</i> , vol. 1, page 265.) <i>Delegates.</i> 13th June 1754.—In a Minute of this date, it is stated that "The proctors on both sides alledged this Cause to be agreed."

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
169	Commission of Appeal dated 7th June 1757, brought in 11th June 1757.	-- James Wheatley, now of the Parish of St. Martin at the Palace, in the City and Diocese of Norwich, but formerly of the Parish of St. Augustine, in the same City, <i>Appellant</i> : John Fowler, of the Parish of St. George, of Colgate, in the same City and Diocese, <i>Respondent</i> .	-- Arches on Appeal from the Consistory of Norwich.	-- Correction of Layman for Immorality.	*Sir Michael Foster, Knight, Justice of King's Bench. *Sir Richard Adams, Knight, Baron of the Exchequer. *Henry Bathurst, Esq., Justice of Common Pleas. Sir Thomas Salisbury, Knight, LL.D., Judge of the High Court of Admiralty. Thomas Walker - } *Andrew Coltee Ducarel - } Doctors of *Dennis Clarke - } Laws. *George Harris - }	-- Decree of Court of Arches apparently affirmed with costs.	30 Nov. 1759	<i>Consistory of Norwich.</i> -- Wheatley, a Methodist preacher, was charged with having committed adultery, fornication, or incontinence with Fowler's sister and others. The Court held that the charges had been proved, and ordered Wheatley to perform "a solemn and public penance in a linen cloth, with a proper (or paper) writing, denoting his said crime fixed on his breast in the usual manner," and condemned him in costs. (3rd February 1756.) <i>Arches.</i> 20th May 1757.—The Court of Arches affirmed the decree of the Consistory Court, and remitted the Cause with costs. [The proceedings on the appeal to the Arches are reported in <i>Lee's Judgments by Phillimore</i> , Vol. II. p. 376.] <i>Delegates.</i> 30th November 1759.—The Delegates pronounced sentence in favour of Fowler, the respondent. The sentence is missing.
170	Commission of Appeal, dated 7th June 1757, brought in 11th June 1757.	-- Griffin Ryecroft, Church or Chapel Warden of Eye, in the County of Northampton, and Diocese of Peterborough, <i>Appellant</i> : Thomas Cox, of Peterborough, in the same County, Surgeon and Apothecary, <i>Respondent</i> .	-- Arches, on Appeal from the Consistory of Peterborough.	-- Correction of Parishioner for lopping tree in Churchyard.	*Sir Thomas Denison, Knight, Justice of King's Bench. *Sir Edward Clive, Knight, Justice of Common Pleas. Heneage Legge, Esquire, Baron of the Exchequer. Sir Thomas Salisbury, Knight, LL.D., Judge of the High Court of Admiralty. Thomas Walker - } *Andrew Coltee Ducarel - } Doctors of *Dennis Clarke - } Laws. *George Harris - }	Sentence of Court of Arches reversed as to costs only.	20 Feb. 1759.	<i>Consistory Court.</i> -- Cox was presented by Ryecroft at a visitation held by the Archdeacon of Northampton, in October 1753, for having cut off, and converted to his own use, two branches which formed the head of a large "Wythe Tree," in the church or chapel yard of Eye, and for having pulled down part of the wall or mound of the church yard. Articles were subsequently brought in against him in the Consistory Court, which was held by the Vicar General of the Bishop of Peterborough at Northampton. Cox alleged in his defence that the Bishop of Peterborough, who was Lord of the Manor, and Incumbent of Eye, had granted him a lease of the tithes, &c., of the manor, and had virtually admitted his right to lop the tree. Also, that a part of the mound or wall had been taken down only for the purpose of removing the branches, and had been already substantially repaired. 9th June 1756.—The Court pronounced that Cox had "unadvisedly and illegally" cut branches from the tree, "which were an ornament to the chapel, and a defence of it against winds and storms," and had applied the same to his own use; and had also without any legal license or authority made a breach in the wall or mound of the chapel yard; that he ought to be canonically censured and corrected, and condemned him in costs. <i>Arches.</i> 2nd May 1757.—The Court reversed the decree of the Consistory of Peterborough, and condemned Ryecroft, the churchwarden, in the costs incurred in both Courts. (See <i>Lee's Judgments by Phillimore</i> , vol. II. p. 373.) <i>Delegates.</i> 20th February 1759.—The Delegates, by their Interlocutory Decree, pronounced for the appeal, revoked so much of the sentence of the Court of Arches as had condemned Ryecroft in costs, but dismissed Cox from all further observance of judgment.

- - Suit against Churchwardens for making alterations in the Parish Church without a Faculty or License.

- - Consistory Court of the Dean and Chapter of Westminster.

- - Samuel Peirson, one of the Churchwardens of the Parish of St. Margaret, Westminster, in the County of Middlesex, *appellant*; against Daniel Gell, of the Great Sanctuary, Westminster, Esq., *Respondent*.

Commission of Appeal, dated 22nd January 1761, brought in 29th January 1761.

*Sir Thomas Denison, Knight, Justice of King's Bench.
Sir Edward Clive, Knight, Justice of Common Pleas.
Sir Sydney Stafford Smythe, Knight, Baron of Exchequer.
(Sir) Edward Simpson (Knight), *ll.d.* (Master of the Prerogative Court of Canterbury.)
Sir Thomas Sulisbury, Knight, *ll.d.*
*Dennis Clarke - } Doctors
*George Harris - } of
*William Macham - } Laws.

- - On the Grievance. Appeal pronounced for. In the *Principal Cause* Proceedings abandoned by Promoter, and Appellant dismissed.

17 June 1762

- - In this case the office of Judge was promoted by Gell against William Rusted and Samuel Peirson, Churchwardens of the Parish of St. Margaret. In February 1759 Articles were brought in charging that the defendants had, in the preceding year, without any License or Faculty first obtained, erected several new ornaments, and altered the ancient form of the fabric of the church, by contracting one window and enlarging two others, and had set up, or caused or suffered to be set up, "a certain painted glass in the great eastern window over the Communion Table . . . whereon is represented, by delineation and colours, one or more superstitious picture or pictures, image or images, and more particularly the painted image of Christ upon the Cross." The promoter prayed that the defendants might be compelled to take down the several ornaments so erected, and in particular the painted glass in the great eastern window, and to restore the fabric of the church to its former condition, and that they might be canonically corrected and condemned in costs.

Shortly afterwards Rusted died, and the case then proceeded against Peirson alone. In reply to the Articles, Peirson alleged that on the 10th February 1758 the Parish Church of St. Margaret being much out of repair the Minister, Churchwardens, Vestrymen, and others had petitioned the House of Commons "to grant the parishioners such assistance as to enable them to compleat the repairs of the church, and make it fit to receive the representatives of the Commons of Great Britain," and that the House, after referring the Petition to a Committee, had granted 4,000 l. for the repairs. He denied that the alterations had been made by the Churchwardens without authority, and stated, that in pursuance of a resolution of the vestry a Faculty had been obtained on the 17th June 1758 from the Judge of the Consistory Court, giving authority to do everything necessary for the better carrying out of the works, and that the alterations had been made by the directions, and with the approval, of the parishioners in vestry. He further alleged that the painted glass had been set up by the orders, and with the unanimous consent, of the vestry; that it was purchased with the money voted by Parliament, and had for many years previously been set up in a chapel at Cophall, in Essex; that the image or picture was not superstitious, and that similar pictures had been preserved in the windows of cathedrals and other churches; that further, an account of the expenditure of the 4,000 l. had been presented to, and not disapproved by, the House of Commons.

12th December 1760.—The Consistory Court rejected six articles of Peirson's allegation, relating mainly, if not entirely, to the grant made by the House of Commons (probably as being irrelevant), and ordered the rest of the allegation to be reformed, but why or in what manner does not appear. Upon this Peirson appealed. Some additional Articles had also been brought in by Peirson, alleging, amongst other things, that, by immemorial custom, St. Margaret's vestry might lawfully order the repairing of the parish church, the erection of monuments, and alterations in the fabric, &c., without any License or Faculty from the Ordinary, and that such a custom was triable in the Courts of Common Law, not in any Spiritual Court. But these additional Articles not being read or offered to the Court by the defendant's counsel, were not taken into consideration.

Delegates.

17th June 1762.—The Court, after hearing counsel, pronounced for the Appeal; and "in regard the said Daniel Gell" had declared "that he would not proceed any further in the said Cause of Appeal, or as promoter of the office of Judge in the principal Cause, and consented that the said Samuel Peirson might be dismissed," the Court dismissed Peirson "from all further observance of judgment in this cause," but made no order as to Costs.

FIFTH PERIOD—1660—1789—continued.

No.	Date of the Appeal.	Name and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
172	Commission of Appeal, dated 29th June 1773, brought in 1st July 1773.	- - The Reverend Joseph Ellinthorpe, Clerk, Vicar of Weston, in the County and Diocese of York, and Curate of Pool, in the Parish of Odey, in the same County and Diocese, <i>Appellant</i> ; against Joshua Myers and Stephen Moss, Churchwardens of the Parish of Weston, <i>Respondents</i> .	- Consistory of York -	- - Correction and deprivation of Clerk convicted of criminal assault.	*Sir James Eyre, Knight, Baron of the Exchequer. *Sir George Nares, Knight, Justice of Common Pleas. *Sir William Henry Ashurst, Knight, Justice of King's Bench. James Marriot, LL.D. (King's Advocate.) William Wall *Andrew Coltee Ducarel - } Doctors of *William Macham - } Laws. *John Loveday - }	- - Decree affirmed, and Cause remitted, with costs.	7 November 1774.	- - Ellinthorpe had been convicted at the York Assizes in the year 1771, of a criminal assault. The present suit was promoted by the Churchwardens in order that he might be deprived of his preferments, and canonically corrected. He appealed from the admission by the Consistory Court of the Articles brought in against him, with the record of his conviction annexed. The Delegates, on the 7th November 1774, affirmed the decision of the Consistory Court, with costs, and remitted the Cause. It does not appear what further proceedings were taken in the Consistory Court.
173	Commission of Appeal, dated 27th June 1775, brought in 1st July 1775.	- - Neast Havard, of the Parish of Tewkesbury, in the County and Diocese of Gloucester, Gentleman, <i>Appellant</i> ; against The Reverend Edward Evanson, Clerk, Vicar of Tewkesbury, and perpetual Curate of Tredington, both in the said County and Diocese, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of Gloucester.	- - Correction of Clerk for impugning the Creeds and the Articles of Religion, &c.	Sir William Henry Ashurst, Knight, Justice of King's Bench. *Sir William Blackstone, Knight, Justice of Common Pleas. Sir John Burland, Knight, Baron of the Exchequer. James Marriot, King's Advocate - } Doctors *Andrew Coltee Ducarel - } of *William Macham - } Laws. *Francis Simpson - } *William Compton - } *Present when Judgment was given on the Grievance, and when the Respondent was dismissed.	- - Decree of Court of Arches varied, and Cause retained, but Appeal subsequently abandoned.	2 June 1777 11 November 1777.	- - It was charged against Evanson that he had "advocated" visedly maintained and affirmed many doctrines contrary "and repugnant to many of the 39 Articles of Religion;" had "preached against the three Creeds;" had "both in preaching and conversation with his parishioners declared, spoken, and written many things in derogation and depraving of the Book of Common Prayer; and had omitted parts of the Service, &c. Also, that he had published a pamphlet intitled "The Doctrines of a Trinity, and the Incarnation of God, examined upon the Principles of Reason and Common Sense," in which he had "denied, depraved, reviled, and ridiculed," the five first of the 39 Articles, and the Athanasian and Nicene Creeds; and had asserted that "the Church of England is a heresy," and in which "the received "Divinity of Our Blessed Lord," were said to be antichristian,

Consistory of Gloucester.

The suit was originally instituted in November 1773, by one Henry Collett, Esquire, as joint promoter with Havard; but Collett having died pending the proceedings in the Consistory Court, it was carried on by Havard alone as surviving Promoter.

16th January 1775.—Evanson objected that the articles did not agree with the citation, and that the witnesses examined by Commission were not, as they ought to have been, examined from the original articles and exhibits, but from printed copies thereof, although the original articles were lying on the table at the time. On the other side it was alleged that these objections were frivolous and inconclusive, and the Bishop with his Chancellor ordered the depositions to be read. From this order Evanson appealed.

Arches.

26th May 1775.—The Court of Arches reversed the Decree of the Consistory Court, dismissed Evanson from all further observance of justice, and condemned Havard in the costs of the Appeal.

Delegates.

2nd June 1777.—The Court affirmed so much of the Decree of the Arches as had suppressed the depositions in chief on the Articles, and had condemned the promoter in costs; but reversed the same, so far as it had dismissed Evanson from all further observance of judgment, and reserved the consideration of the depositions arising out of the Interrogatories, and all objections thereto; retained the cause, and assigned the same for further informations and sentence.

11th November 1777.—On this day Havard having renounced the Appeal, the Delegates dismissed Evanson from all further proceedings, and condemned Havard in the costs of the Appeal.

In a letter addressed by him to the promoters before the suit commenced, Evanson, after stating that the matter of the reformation of the Liturgy and the Articles would assuredly come before the Legislature in the next Session of Parliament, assured them that if his objections to the legal forms of Divine Service were not then removed by authority, he would very soon (in six or seven months) rid them of all objections to his ministry. But it does not appear whether or not he subsequently resigned his preferment.

Consistory of York.

-- The suit was promoted by the Hutchinsons against Robertson, for refusing or neglecting to attend to bury the body of one Deborah West, their sister.

Deborah West died on the 19th November 1744, having apparently strangled herself. On the 21st November an inquest was held, which brought in a verdict of lunacy. On the same afternoon some of her friends requested Mr. Robertson to bury her, and on his refusal, took the body to the churchyard, where, after waiting some little time, it was interred without any burial service.

Robertson tendered an Allegation, stating that he was not the lawful Minister of the parish, but was only engaged to take the duty every other week for the Rev. Thomas Eglin, the licensed Minister and Curate, and that the day of the funeral did not fall in his week; that further, by a custom of the parish, agreed upon by the principal inhabitants in the year 1709, and sanctioned by the Archbishop of York, it was ordered that no burial should take place after three o'clock in the afternoon, unless those who had charge of the funeral paid 20 s. to the Churchwardens for the use of the poor; that it was two o'clock p.m. when the jury, by their verdict, had declared that the body was entitled to Christian burial; that he did not receive notice of the funeral till three o'clock; that the body was not brought to the church till after four o'clock, and the 20 s. was not paid.

Robertson appealed from the rejection of the Allegation (26th October 1775.)

Delegates.

30th May 1777.—In a Minute of this date it is stated that "both Proctors alleged the cause to be agreed."

Consistory Court.

-- Dr. Musgrave was article in the year 1774, in the Consistory of London, for having allowed certain vaults to be built in the Parish Church, and to be appropriated as family burial places without any license or faculty from the Ordinary.

20th February 1776.—The Court pronounced that the charges had been proved, that Dr. Musgrave ought to be admonished to refrain from such his excesses in future, and condemned him in costs.

Archæes.

9th May 1777.—The Court affirmed the Decree of the Consistory Court, and remitted the cause with costs.

Delegates.

6th May 1779.—The Appeal was assigned for "sentence and informations whensoever"; but there seem to have been no further proceedings.

30 May 1777 -

- Cause agreed -

Sir Richard Aston, Knight, Justice of King's Bench.
Sir George Nares, Knight, Justice of Common Pleas.
Sir James Eyre, Knight, Baron of the Exchequer.
George Harris - } Doctors
William Macham - } of
Peter Calvert - } Laws.
Francis Simpson - }
William Compton - }

-- Correction of Clerk for neglect to perform Burial Service.

- Consistory of York -

-- The Reverend Joseph Robertson, Clerk, Curate or officiating Minister of the Parish Church of Whitby, in the County and Diocese of York, *Appellant*, against
Robert Hutchinson and Edward Hutchinson of Whitby, aforesaid, Stonemasons and Bricklayers, *Respondents*.

Commission of Appeal, dated 13th December 1775, brought in 19th December 1775.

- Proceedings discontinued.

Sir Henry Gould, Knight, Justice of Common Pleas.
Edward Willes, Esquire, Justice of King's Bench.
Sir James Eyre, Knight, Baron of the Exchequer.
Andrew Coltee Ducarel - } Doctors
William Macham - } of
Francis Simpson - } Laws.
Thomas Bever - }
William Compton - }

-- Correction of Clerk for allowing burial vaults to be built, &c., without faculty.

-- Archæes, on Appeal from the Consistory of London.

-- The Reverend Christopher Musgrave, p.d., Vicar of Barking, in the County of Essex, and Diocese of London, *Appellant*; against
William Russell, one of the Churchwardens of the same parish, *Respondent*.

Commission of Appeal, dated 7th June 1777, brought in 26th June 1777.

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No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
176	Commission of Appeal, dated 11th March 1780, brought in 13th April 1780 (1st Appeal).	-- The Reverend Richard Griffith, Clerk, one of the Vicars Choral in the Cathedral Church of Bangor, <i>Appellant</i> ; William Williams, of the Parish of St. George, Hanover Square, in the County of Middlesex, <i>Respondent</i> .	- - - Arches	- - Correction of Vicar Choral for holding another benefice without dispensation.	*Sir William Henry Ashurst, Knight, Justice of King's Bench. *Sir George Nares, Knight, Justice of Common Pleas. *Sir James Eyre, Knight, Baron of the Exchequer. Sir James Marriott, Knight, LL.D., Judge of the High Court of Admiralty. Andrew Coltee Ducarel - } Doctors George Harris - } of *William Macham - } Laws. Thomas Bever - }	-- Decree of Court of Arches affirmed, and Cause remitted, but without costs.	2 July 1783	<i>Arches.</i> -- A Suit was first commenced in the year 1777, in the Court of Arches, by Letters of Request, signed by the Vicar General of the Bishop of Bangor, but the proceedings were subsequently abandoned (on what ground does not appear), and fresh Letters of Request brought in, signed by the Bishop. It was article against Griffith, that in 1773, being then, as Vicar Choral, in possession "of one portion of the Vicarage and Parish Church of Bangor, being a benefice with cure of souls," he had procured himself to be inducted into another benefice, without having obtained any legal dispensation. The Promoter prayed that the said portion of the Vicarage of Bangor might be declared absolutely void. Griffith at first objected to the descriptions of the parties as incorrect or insufficient, and that it was not a case to be heard by Letters of Request, but these objections were overruled. Subsequently it was found that the Exhibits annexed to the Articles, and containing extracts from the Register of Institutions in the Registry of the Bishop of Bangor, and which had been certified by the late Registrar, were not correct copies, but the Court (15th February 1780) allowed Williams to subduct the original Exhibits, and to bring in others, but condemned him in costs from the time of bringing in the Articles and former Exhibits. From this Decree Griffith appealed.
177	Commission of Appeal, dated 28th October 1783, brought in 15th November 1783. (2nd Appeal.)	-- The Reverend Richard Griffith, Clerk, one of the Vicars Choral in the Cathedral Church of Bangor, <i>Appellant</i> ; against William Williams, of the Parish of St. George, Hanover Square, in the County of Middlesex, and Province of Canterbury, <i>Respondent</i> .	- - - Arches	- - See above	†*Edward Wiles, Esquire, Justice of King's Bench. †*Sir George Nares (Knight), Justice of Common Pleas. †*Sir James Eyre (Knight), Baron of the Exchequer. Sir James Marriott, Knight, LL.D., Judge of the High Court of Admiralty. George Harris - } Doctors †*William Macham - } of Laws. *Thomas Bever - } †Present when sentence was pronounced retaining the Cause. *Present when Appellant was dismissed.	-- Decree reversed, without costs, and Cause retained. Subsequently, Respondent withdrew from cause, and Appellant was dismissed.	22 June 1784 2 May 1785	<i>Arches.</i> -- After the remission of the cause to the Court of Arches, Griffith prayed that before taking evidence on the Articles, the Promoter's actual place of abode and occupation might be set forth, and that he might appear personally in Court and take the oath of calumny (a). The Court, however, decreed a Commission to issue for the examination of witnesses at the expiration of a fortnight from that time (15th July 1783). Upon this Griffith appealed again. <i>Delegates.</i> 22nd June 1784.—The Delegates, by consent, pronounced for the Appeal, but without costs. They then retained the cause, and assigned the Promoter's Proctor to set forth Williams' place of abode and occupation, within three weeks, and allowed Griffiths three weeks more for making inquiry about the Promoter, and for naming Commissioners for the examination of Witnesses, failing which the Commission was to issue to the Commissioners for the Promoter only. 2nd May 1785.—The Promoter's Proctor having stated that he proceeded no further in the cause, the Delegates dismissed Griffith from all further observance of judgment.

(c) i. e. To swear that his allegations were sincere and upright, without any intention to give unnecessary trouble, or to use quirks and cavils. 3 *Burn's Eccl. Law*, p. 16.

178 Commission of

Appeal, dated 8th November 1781, brought in 15th November 1781.

-- Thomas Martyn, Clerk, late Curate of the Parish of Saint Ann, Westminster, in the County of Middlesex and Diocese of London, *Appellant*;

Richard Hind, Rector of the same Parish, *Respondent*.

-- Arches, on Appeal from the Consistory of London.

-- Correction of Clerk for acting in defiance of Rector, &c.

*Sir William Henry Ashurst, Knight, Justice of King's Bench.
 Sir George Nares, Knight, Justice of Common Pleas.
 *Sir James Eyre, Knight, Baron of the Exchequer.
 Sir James Marriott, Knight, LL.D., Judge of the High Court of Admiralty.
 Andrew Coltee Ducarel - } Doctors
 George Harris - } of
 *William Macham - } Laws.
 Denham Skeato - }

-- Decrees of Courts below reversed or varied in favour of Appellant.

14 February 1785.

Consistory Court.

-- The suit was originally promoted in the Consistory of London in the year 1777, by Dr. Hind against Martyn, his Curate.

Martyn was charged with drunkenness, adultery, and neglect of duty, and with having on several occasions acted in defiance of Hind, his Rector, by reading the prayers, and preaching, and by marrying a couple, preventing the Rector, who intended to do it himself.

6th December 1779.--The Court pronounced that the charge of acting in defiance of his Rector had been proved, and decreed Martyn to be removed from his Curacy, and condemned him in costs, but ordered that they should be moderate, in regard that the Promoter had failed in proof of the other charges. From this decree Martyn appealed.

Arches.

19th June 1781.--The Court of Arches affirmed the decree of the Consistory Court, and remitted the Cause with costs. Upon this Martyn appealed again.

Delegates.

14th February 1785.--The Delegates pronounced for the Appeal, reversed the Decrees of the Courts below, retained the Cause, and therein declared that Martyn had subjected himself to the censure of the Church by acting in defiance of his Rector, and judicially admonished him to be more careful of his behaviour for the future, and condemned him to pay 50 l. for costs.

Archdeacon's Court.

-- The suit was promoted by Whitaker against Luke for going out of the Parish Church on Sunday the 28th March 1779, in time of Divine Service, "in a disorderly manner, and not abiding there orderly and soberly during preaching, agreeably to the statute" (5 & 6 Edward VI., cap. 1, s. 2). It was suggested on the part of the promoter that Luke had agreed with two other persons, that if the Rector preached on the subject of tithes they would all leave the church. [A suit for subtraction of tithes was subsequently instituted by Whitaker against Luke.]

25th February 1780.--The Court admonished Luke to behave himself decently and orderly, and to abide in his Parish Church for the time to come during all the time of Divine Service and preaching there agreeably to the statute, and condemned him in costs, but Luke "went out of Church disorderly, or disturbed the Congregation thereby." From this Decree Whitaker appealed.

afterwards taxed the costs at 1 s. only, on the ground that it had not been proved that Luke "went out of Church disorderly, or disturbed the Congregation thereby."

Consistory Court.

1st December 1780.--The Consistory of Exeter affirmed the above Decree, remitted the cause, and condemned Whitaker in the costs of the Appeal. Upon this he appealed again.

Arches.

15th February 1782.--The Court of Arches reversed the Decree appealed from, with costs. Upon this Luke appealed.

Delegates.

29th April 1785.--The Delegates pronounced for the Appeal, reversed the Decree of the Court of Arches, and affirmed that of the Consistory Court save as to the costs. They also retained the cause, and directed that each party should bear his own costs in each instance, save in the Archdeacon's Court, and confirmed the taxation by that Court of the costs in which Luke was condemned at 1 s.

179

Commission of Appeal, dated 11th June 1782, brought in 21st June 1782.

-- John Luke, of Ruanlanthorne, in the County of Cornwall and Diocese of Exeter, Esq., *Appellant*;

The Rev. John Whitaker, Clerk, Rector of the same Parish, *Respondent*.

-- Arches, on Appeal from the Consistory of Exeter, on Appeal from the Court of the Archdeacon of Cornwall.

-- Correction of Parishioner for going out of Church in time of Divine Service, &c.

*Sir William Henry Ashurst, Knight, Justice of King's Bench.
 *Sir George Nares, Knight, Justice of Common Pleas.
 *Sir James Eyre, Knight, Baron of the Exchequer.
 Sir James Marriott, Knight, LL.D., Judge of the High Court of Admiralty.
 Andrew Coltee Ducarel - } Doctors
 George Harris - } of
 *William Macham - } Laws.
 *John Fisher - }

-- Decree of Court of Arches reversed, but without costs.

29 April 1785

FIFTH PERIOD—1660—1789—continued.

N	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
180	Commission of Appeal dated 30th April 1789, brought in 26th May 1789.	-- The Rev. Thomas Roger Filewood, Clerk, Rector of Mickleham, in the County of Surrey, <i>Appellant</i> ; against Charles Henry Talbot, Esquire, Parishioner and Inhabitant of the same Parish, <i>Respondent</i> .	-- Arches, on Appeal from the Commissary Court of the Bishop of Winchester, in Surrey.	-- Correction of Clerk.	*Sir William Henry Ashurst, Knight, Justice of King's Bench. *Sir Beaumont Hochem, Knight, Baron of the Exchequer. Sir John Wilson, Knight, Justice of Common Pleas. Sir James Marriott, Knight, LL.D., Judge of the High Court of Admiralty. William Macham - } Doctors of *John Fisher - } of *James Henry Arnold - } Laws.	-- Appeal abandoned, and Cause remitted, with costs.	14 June 1790	-- It is stated in the Repertory Book that the Office of Judge was promoted against Filewood by Talbot, so that it would seem to have been a case of Ecclesiastical Discipline; but there is no Process, nor anything in the Minutes to show the nature of the cause. <i>Arches.</i> It seems that Filewood appealed to the Arches from the admission by the Court below of the Articles given in by Talbot. The Arches, however, pronounced against the Appeal, and decreed the Cause to be remitted, with costs. Upon this Filewood appealed again. <i>Delegates.</i> 14th June 1790.—Filewood having declared that he proceeded no further in the Appeal, the Delegates, after hearing Counsel for the Respondent, pronounced against the Appeal, affirmed the Decree of the Court of Arches, remitted the cause, and condemned Filewood in costs.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
181	Commission of Appeal, brought in 1st October 1793.	- - The Reverend William Bingham, Clerk, &c., Archdeacon of London, of Saint Marylebone, in the County of Middlesex, and Diocese of London, <i>Appellant</i> ; against The Most Noble William Henry Cavendish, Duke of Portland, the pretended Patron and Rector Impropriate of the Benefice of St. Marylebone, <i>Respondent</i> .	- - Arches, on Appeal from the Consistory of London.	- - Correction of Clerk for officiating in Chapel by means of a license surreptitiously obtained.	- - Sir William Henry Ashurst, Knight, Justice of King's Bench, Knight, Sir Beaumont Hotham, Knight, Baron of the Exchequer. *John Heath, Esquire, Justice of Common Pleas. Sir James Marriott, Knight, &c., &c., Judge of the High Court of Admiralty. George Harris - } Doctors *John Fisher - } of William Battine - } Laws.	- - Appeal pronounced against, but without costs, and Cause retained for hearing. Proceedings ultimately discontinued.	7 May 1795	<i>Consistory Court.</i> - - Dr. Bingham was cited at the promotion of the Duke of Portland in the year 1792, to answer Articles charging him with having, without the consent of the Duke as patron, or of the Perpetual Curate of the Parish of St. Marylebone, opened and officiated in a Chapel (then newly erected) in Quebec-street, Marylebone, under cover of a License illegally and surreptitiously obtained from the Bishop of London. He was also called upon to bring the License into Court, and to show cause why it should not be revoked. Dr. Bingham appeared under protest, and contended that it was not competent to the Promoter in a criminal suit to call upon him to bring in the License, or to put him upon proof of its legality. The Court, however (20th November 1792), overruled the protest, and assigned Dr. Bingham to appear absolutely. Upon this he appealed to the Arches. <i>Arches.</i> 10th May 1793.—The Court of Arches pronounced against the Appeal, affirmed the Decree of the Court below, retained the cause, and assigned Dr. Bingham to appear absolutely therein, but gave no costs. Upon this Dr. Bingham appealed again. <i>Delegates.</i> - - 7th May 1795.—The Delegates pronounced against the Appeal and affirmed the Decree of the Court below, but without giving costs. At the prayer of both parties they then retained the Cause, and assigned Dr. Bingham to appear absolutely. On the 25th November 1795, Articles were brought in against Dr. Bingham, but it seems that after that date there were "no Judges" (<i>i. e.</i> Delegates) to form a Court in this case until the 23rd April 1796, when a Commission of Adjuncts was brought in. At length, on the 16th November 1797, the Articles were admitted, but nothing further seems to have been done, although the cause appears in the Assignment Book as late as the 8th November 1808. There is a short but not quite correct note of this case in <i>Haggard's Consistory Reports</i>, Vol. I. p. 169, appended to a full Report of a Civil Suit which had been previously instituted against Dr. Bingham by the Duke of Portland in the Consistory Court of London. In this Suit also Dr. Bingham had been cited to bring in the License to preach in Quebec Chapel, granted to him by the Bishop of London, and to show cause why it should not be revoked as having been surreptitiously obtained. Sir Wm. Scott, however, dismissed Dr. Bingham on the ground that the Duke had not, as Lay Rector, a sufficient interest to sustain a civil proceeding against him. In this Suit there was no Appeal to the Delegates.
	Commission of Adjuncts, brought in 23rd April 1796.				The names of the Delegates to whom the Commission of Adjuncts was addressed are not set out, but it appears from the Minutes to have included (at least) two Doctors of Laws not named in the original Commission, viz.: <i>Charles Coote, and Samuel Pearce Parson</i>			

SIXTH PERIOD—1790—1838—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
182	Commission of Appeal, brought in 8th November 1793.	-- The Rev. David Davies, M.A., the licensed Curate of the Chapel of St. Peter, at Stockport, in the County and Diocese of Chester and Province of York, <i>Appellant</i> ; James Pope, of the City of Chester, Gentleman, <i>Respondent</i> .	-- Consistory of York, on Appeal from the Consistory of Chester.	-- Correction of Clerk for non-residence and neglect of duty.	Sir Henry Gould, Knight, Justice of Common Pleas. Sir Francis Butler, Bart., Justice of King's Bench. *Sir Richard Perryn, Knight, Baron of the Exchequer. Right Hon. Sir William Wynne, Knight, D.C.L., Dean of the Arches. John Nicholl *James Henry Arnold } Doctors French Lawrence } of Thomas Champion Cres- } Laws. piguy }	-- Appeal abandoned, Decree affirmed, and Cause remitted, with costs.	27 June 1797	<i>Consistory of Chester.</i> -- The suit was promoted against Davies in 1791, for not performing Divine Service in the Chapel of St. Peter, at Stockport, of which he was licensed Curate, and for absenting himself from the cure thereof, contrary to the statute, &c. 23d February 1792.—The Court pronounced that he had been absent for more than 40 days from the time of his being licensed, and decreed him to be admonished to reside upon his said cure, and to perform the Divine Offices in the Chapel, and condemned him in costs. <i>Consistory of York.</i> 11th July 1793.—The Court pronounced against Davies' appeal, and remitted the cause to the Court below, with costs. Upon this he appealed again. <i>Delegates.</i> 27th June 1797.—Davies having declared that he proceeded no farther, the Delegates pronounced against the appeal, affirmed the decree of the Court below, and remitted the cause, with costs.
183	Commission of Appeal, brought in 15th December 1806.	-- Isaac Willson and Richard Cowley Polhill, late Churchwardens of the Parish of St. Mary-the-Virgin, in the Town and Port of Dover, in the County of Kent, <i>Appellants</i> ; Thomas Mantell and George Stringer, Esqrs., two of the Jurats of the Corporation of the said Town and Port, <i>Respondents</i> .	- Arches	-- Suit against Churchwardens for making alterations in Parish Church without a Faculty.	Sir Nash Grose, Knight, Justice of King's Bench. Sir Soulden Lawrence, Knight, Justice of Common Pleas. Sir George Wood, Knight, Baron of the Exchequer. Christopher Robinson } Doctors Charles Cootes } of Samuel Pearce Parson } Laws. George Ogilvie } Thomas Edwards }	- Cause agreed -	24 May 1810	<i>Arches.</i> -- The case was brought before the Court of Arches by Letters of Request, from the Commissary General of the City and Diocese of Canterbury. The mayor, jurats, and common councilmen of Dover had for a long time occupied certain pews or seats, which were placed at the east end of the chancel round the communion table, in the Church of St. Mary-the-Virgin. Willson and Polhill were charged with having removed the locks from the doors of these pews, and narrowed the seats of the councilmen, without any license from the Ordinary, or other legal authority. The suit was promoted in the year 1806, by Phineas Kennett, the Mayor of Dover, to compel Willson and Polhill to replace the locks, and restore the seats as they were before. It seems that the corporation claimed the exclusive right to the seats, and had, about three years previously, with the consent, as they alleged, of the then churchwardens, placed locks upon the doors, in order to exclude strangers. On the other hand, Willson and Polhill maintained that the corporation had no title to the seats, either by faculty or prescription, and that they (the churchwardens) had the power to place other persons therein. Kennett having died while the suit was pending, Willson and Polhill prayed to be dismissed, on the ground that the suit, which they alleged had been promoted by Kennett as a private person, abated on his death, and that another suit had been instituted by the churchwardens for that year (1808) for a faculty to remove the seats of the corporation to a more convenient place: in which suit the question at issue in the present cause could be more conveniently disposed of. At the least they prayed that the proceedings might be stayed until sentence should be given in that suit. The Court, however (14th July 1808), admitted William King, who succeeded Kennett in the mayoralty, with Mantell and Stringer, two jurats, as promoters, to prosecute the cause. From this decision Willson and Polhill appealed. <i>Delegates.</i> On the 24th May 1810, both Proctors alleged the Cause to be under treaty of agreement.

Consistory of Durham.

-- The suit was promoted in the year 1806, by Thorpe against Watson. The latter was charged with adultery, fornication, and incontinence, and generally with leading a lewd and profligate life.

7th October 1808. --The Judge of the Consistory Court pronounced that the charges had been proved, sentenced Watson to be suspended for three years, *a beneficio et ab officio*, and condemned him in costs; the suspension to be taken off at the end of the three years on his producing a certificate, signed by three clergymen of the neighbourhood, and to be approved by the Court, testifying to his good behaviour and morals during the period of suspension, but to continue in force until such a certificate should be produced; the benefice in the meantime to be sequestrated.

Consistory of York.

13th July 1809. --The Court pronounced against the Appeal, and remitted the cause, with costs. Upon this Watson appealed again.

Delegates.

Two objections were raised on behalf of Watson the Appellant: (1) that he had not been proved to be Rector of Rothbury; (2) that a sentence of suspension *sine die* could only be pronounced by the Bishop in person. But the Court held that the fact of his being Rector had been virtually admitted by the Appellant, who so described himself in his proxy, and that the Judge of the Consistory Court was competent to pronounce the sentence appealed from. It is said that the Delegates were doubtful as to the requiring the certificate, and as to its being required that it should be approved by the Judge, but, considering that if the certificate, when offered, should be rejected, it would be an appealable act, they affirmed the sentence of the Courts below on these as well as on the other points. (See Note in *Phillimore's Reports*, Vol. I. p. 269.)

21 June 1811

-- Decree affirmed and Cause remitted, with costs.

*Sir Simon le Blanc, Knight, Justice of King's Bench.
*Sir Alan Clambre, Knight, Justice of Common Pleas.

*Sir George Graham, Knight, Baron of the Exchequer.

*James Henry Arnold
William Battine -

*Thomas Edwards -

George Ogilvie -

*Joseph Phillimore -

- } Doctors
- } of
- } Laws.

-- Correction of Clerk for Immorality.

-- Consistory of York, on Appeal from the Consistory of Durham.

-- The Reverend George Watson, Clerk, D. D., Rector of Rothbury, in the County of Northumberland and Diocese of Durham. *Appellant*;

against
The Reverend Robert Thorpe, Clerk, D. D., Archdeacon of Northumberland, *Respondent*.

Commission of Appeal, brought in 3rd November 1809.

SIXTH PERIOD—1790—1838—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
185	Commission of Appeal, brought in 9th July 1811.	-- The Reverend William Desmar Tattersall, Clerk, Vicar of the Parish of Wooton-under-Edge, in the County and Diocese of Gloucester, <i>Appellant</i> ; against Sarah Knight, Widow, Sarah Long, Widow, Thomas Foxwell, Thomas Vaughan, Richard Stook, Richard Nemes, Humphrey Austin, Samuel Dyer, John Worlock, Goodson Fines, John Phillimore, David Taylor, John Sill, Daniel Pope, John Wheeler, and Thomas Clark, all of the same Parish, County, and Diocese, <i>Respondents</i> .	-- Arches, on Appeal from the Consistory of Gloucester.	-- Suit for Faculty to erect Gallery.	*Sir Nash Grose, Knight, Justice of King's Bench. *Sir Alan Chambre, Knight, Justice of Common Pleas. *Sir R. Graham, Knight, Baron of the Exchequer. *James Henry Arnold *Samuel Pearce Parson } <i>Doctors</i> Sherard Beaumont Burnaby } <i>of</i> *John Daubeny } <i>Laws.</i> *John Dodson }	-- Decree affirmed, and cause remitted, with costs.	28 May 1812	-- In 1806, after holding several vestry meetings, it was resolved to pull down a gallery which had been erected at the west end of the north aisle of the parish church of Wooton-under-Edge, for the Sunday School, but which was no longer used for that purpose, and to erect a more substantial gallery in its place. The Churchwardens having, without any Faculty, pulled down the old gallery in pursuance of these resolutions, were presented by the Vicar to the Chancellor of the Diocese, and were ordered to rebuild the gallery. <i>Consistory of Gloucester.</i> The present suit was instituted in 1807, by Sarah Knight and the other Respondents, to obtain the requisite License or Faculty for the erection of a new gallery. The Vicar seems to have opposed the plan on the ground that it would be better to repew the church throughout. 18th January 1810.—The Court granted the Faculty, and ordered that the five pews in front of the gallery should be appropriated to five of the Promoters and their families who had no other places in church, so long as they should continue inhabitants of the parish, or occupiers of the messuages in which they then dwelt; that the two ranges of seats behind should be appropriated to the Sunday School, if required, otherwise to be for the parishioners in general. From this Decree Tattersall appealed. <i>Arches.</i> 13th May 1811.—The Dean of the Arches affirmed the Decree of the Consistory Court, and remitted the cause, with costs: whereupon Tattersall appealed again (May 24). See <i>Phillimore's Ecclesiastical Reports</i>, Vol. I., p. 232. <i>Delegates.</i> 28th May 1812.—The Appellant not appearing when the cause was assigned for sentence on the second Assignment, the Delegates (after hearing Counsel for the Respondents) pronounced against the Appeal, affirmed the Decree appealed from, and remitted the cause, with costs.

Peculiar Court.

- - The suit was promoted in 1822 by the Judge of the Peculiar Court against Seager, for having in usurpation of the authority of the Ordinary, and without any License or Faculty first obtained, erected a family monument in the Parish Church of Saint James, in the town and county of Poole; he was cited to appear and show Cause why he should not be decreed to remove the same.

In answer to the Articles, Seager tendered an Allegation, in which he pleaded that the monument had been erected on the death of his wife, in January 1822, and that no objection had been taken to it until the following July; that it had not been customary in the parish of St. James to obtain the consent of the Ordinary, and that he had obtained that of the Minister and Churchwardens; and that the monument did not disfigure the Church, but, on the contrary, was an ornament to it.

4th November 1822.—The Court rejected the Allegation as not pleading any legal justification of the erection of the monument without a License.

Delegates.

20th June 1823.—The Delegates pronounced for the Appeal, reversed the Order of the Court below, retained the principal Cause, and therein directed the Allegation on its being reformed, to be admitted, and granted a Decree for Answers.

Subsequently (2nd December 1824) it was alleged on behalf of Seager, that he proceeded no further in the Cause.

The Case is reported in *Addams' Eccles. Reports*, Vol. I., p. 541.

20 June 1823

2 Dec. 1824.

- - Decree reversed, and Cause retained, but Appeal ultimately abandoned.

Sir George Wood, Knight, Baron of the Exchequer.

*Sir George Sowley Holroyd, Knight, Justice of King's Bench.

*Sir James Burrough, Knight, Justice of Common Pleas.

*James Henry Arnold

Herbert Jenner -

*John Daubeny -

*Samuel Rush Meyrick -

Richard Berens -

*John Haggard -

- - Doctors of Laws.

- - Correction of Parishioner for erecting a family monument in Parish Church without License or Faculty.

- - Court of the Peculiar and Exempt Jurisdiction of Great Canford and Poole.

- - James Seager, of the Parish of St. James, in the Town and County of Poole, within the Peculiar Jurisdiction of Great Canford and Poole, Esquire, *Appellant*;

against

The Worshipful and Reverend Charles Bowle, Clerk, M.A., Principal Officer of the said Peculiar Jurisdiction, *Respondent*.

Commission of Appeal, brought in 23rd December 1822.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
187	Commission of Appeal, brought in 1st February 1827. (1st Appeal.)	--The Reverend Edward Drax Free, Clerk, D.D., Rector of Sutton, in the Archdeaconry and County of Bedford, and Diocese of Lincoln, <i>Appellant</i> ; against Montague Burgoyne, Esquire, a Parishioner and Inhabitant of Sutton, <i>Respondent</i> .	-- Arches	-- Correction of Clerk for Immorality, drunkenness, neglect of duty, &c.	Sir John Hullock, Knight, Baron of the Exchequer. *Sir Joseph Littledale, Knight, Justice of King's Bench. *Sir Stephen Gaslee, Knight, Justice of Common Pleas. †James Henry Arnold Charles Coote - } Doctors of Laws. *Sherrard Beaumont Burdaby - } Sir John Stoddart, Knight *John Trenchard Pickard -	-- Decree of Court of Arches affirmed, and Cause remitted, with costs.	11 July 1828	<i>Arches.</i> -- Dr. Free was charged, at the promotion of Burgoyne, with the following offences: fornication; incontinence; profane cursing and swearing; drunkenness; indecent conversation; neglect of Divine Service on a stable Sunday; using the porch of the church as a stable and foddering cattle therein; turning swine into the churchyard; refusing the use of the church for vestry meetings lawfully called; converting into profit for his own use lead off the roof of the church for vestry meeting, or delaying to baptise children of his parishioners, and to bury corpses; and charging illegal fees for baptisms and burials. The suit was brought before the Court of Arches in October 1824, by Letters of Request from the Commissary of the Bishop of Lincoln in the Archdeaconry of Bedford. Dr. Free appeared under protest, alleging that Letters of Request did not lie from the Commissary of the Archdeaconry to the Court of Arches, but to the Diocesan Court of Lincoln; the protest, however, was overruled. 17th February 1825.—The Court rejected two of the Articles (apparently as being too general), directed four others to be reformed, and admitted the remainder. It seems that Dr. Free disputed the power of the Court to entertain the case, on the ground that the Act 27 Geo. III., c. 44, had declared that prosecutions for incontinence or fornication must be commenced within eight months of the date of the alleged offence, which period in this case had expired, but the Court held that it could proceed with a view to deprivation. Dr. Free gave notice of appealing from this decision, but did not prosecute the Appeal, and (25th April 1825) the Court admitted the four Articles as reformed. Dr. Free then moved for a Prohibition in the Court of King's Bench, and the Court made an order to stay the proceedings, but subsequently (26th May 1826) granted a Writ of Consultation empowering the Court of Arches to proceed with the charges against Free for the purpose of suspension or deprivation, or other punishment merely clerical, but "not for the purpose only of his soul's health and the reformation of his manners." Dr. Free then obtained a Writ of Error, and a further order to stay the proceedings; but the Court of Exchequer Chamber held that error did not lie from the refusal to grant a Prohibition, and this decision was eventually confirmed by the House of Lords. 20th November 1826.—The order to stay the proceedings not having been renewed, the Court of Arches re-admitted the Articles as reformed; whereupon Free appealed to the Delegates.

Delegates.

On the application of the Appellant the Court postponed the hearing of the Appeal until the House of Lords gave its decision on the Writ of Error.
11th July 1826.—The decree for a Writ of Consultation having in the meantime been confirmed by the House of Lords, it was now objected on behalf of the Appellant, that no such suit as for deprivation, *ex nomine*, was known apart from a suit *pro seculis animæ*. But the Court held that it could proceed for deprivation only, in accordance with the terms of the Writ of Consultation, and further pronounced against the Appeal, affirmed the Decrees appealed from, and remitted the Cause, with costs.

Archies.

-- The Case was then resumed in the Court of Archies. Dr. Free brought in a defensive Allegation denying the charges of immorality, but produced no witnesses in support of it. An Allegation which he afterwards brought in, excepting to the credit of the Promoter's witnesses, was rejected.

15th June 1829.—The Court pronounced the Articles sufficiently proved, decreed Dr. Free to be deprived of the Rectory of Sutton and its emoluments, and condemned him in costs. Upon this he appealed again.

Delegates.

15th February 1830.—At the hearing the question was raised whether deprivation without any antecedent motion or suspension was the proper punishment for the Cause to the Court of Archies. The case is fully reported in 2 *Haggard's Ecclesiastical Reports*, pp. 456 & 662. See also 2 *Adams*, 405 & 414; 5 *Barn. & Creswell* 400; & 8 *D. & R* 587; 2 *Bligh (N. S.)* 65; S. C. 1 *Dow & Clark* 115.

It seems that Dr. Free had brought an action against Sir Montagu Burgoyne in 1817 at the Spring Assizes for the County of Bedford, for penalties alleged to be due from the latter (under the 23 Eliz. c. 1, s. 6) for having been absent from his Parish Church for several months; but that the Action was defeated on the ground that the defendant had been prevented from repairing to Church by severe indisposition. See Note to First Report of Her Majesty's Commissioners for Revising and Consolidating the Criminal Law, p. 33 (1845).

fornication, but it was held that no previous motion or suspension was necessary. The Court then pronounced against the Appeal, affirmed the Decree of Deprivation, with costs, and remitted the Cause to the Court of Archies. The case is fully reported in 2 *Haggard's Ecclesiastical Reports*, pp. 456 & 662. See also 2 *Adams*, 405 & 414; 5 *Barn. & Creswell* 400; & 8 *D. & R* 587; 2 *Bligh (N. S.)* 65; S. C. 1 *Dow & Clark* 115.

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Consistory Court.

-- The suit was instituted in 1828, under the Act 5 & 6 Edward VI., c. 4.

Scales was charged with quarrelling, chiding, and brawling at a vestry meeting of the parish of St. Mary, Stratford, and with endeavouring, by personal violence, to eject one Thomas Bilton, who attended the vestry by the desire of the chairman, one of the churchwardens, as solicitor to the parish.

In his defence Scales denied both the brawling and the violence, and alleged that Bilton had interrupted the meeting; that a motion requesting him to withdraw had been proposed and seconded, but that the chairman had refused to put it to the vote, and that he (Scales) had then gently requested Bilton to withdraw, who in return had violently assaulted him.

23rd July 1829.—The Court pronounced that the charges of quarrelling, chiding, and brawling by words had not been proved, but that the charge of violence had been satisfactorily proved, and decreed Scales to be an excommunicate person; and that, as such, he should be imprisoned for the period of seven days; they also condemned him in costs.

Archies.

28th January 1830.—The Court of Archies affirmed the Decree of the Consistory Court, remitted the Cause, and condemned the Appellant in costs.

Delegates.

4th December 1830.—The Court reversed the Decrees of the Consistory and Archies Courts, retained the Cause, and pronounced that the Promoter had failed in proof of the Articles, and dismissed Scales from the original Citation served upon him, and from all further observance of justice in respect thereof, but made no order as to the costs.

The Case is reported in *Haggard's Ecclesiastical Reports*, Vol. II., p. 566. See also Vol. III., p. 371.

Commission of Appeal, brought in 8th July 1829 (2nd Appeal).

Ditto

Archies

-- See above --

*Sir Stephen Gaselee, Knight, Justice of Common Pleas.
*Sir John Vaughan, Knight, Baron of the Exchequer.
*Sir James Parke, Knight, Justice of King's Bench.

*Sir Herbert Jenner, Knt.
*Joseph Phillimore
*Augustus Gostling - Doctors of Laws.
*Thomas Blake -
*John Haggard -
*James Chapman -

fornication, but it was held that no previous motion or suspension was necessary. The Court then pronounced against the Appeal, affirmed the Decree of Deprivation, with costs, and remitted the Cause to the Court of Archies. The case is fully reported in 2 *Haggard's Ecclesiastical Reports*, pp. 456 & 662. See also 2 *Adams*, 405 & 414; 5 *Barn. & Creswell* 400; & 8 *D. & R* 587; 2 *Bligh (N. S.)* 65; S. C. 1 *Dow & Clark* 115.

It seems that Dr. Free had brought an action against Sir Montagu Burgoyne in 1817 at the Spring Assizes for the County of Bedford, for penalties alleged to be due from the latter (under the 23 Eliz. c. 1, s. 6) for having been absent from his Parish Church for several months; but that the Action was defeated on the ground that the defendant had been prevented from repairing to Church by severe indisposition. See Note to First Report of Her Majesty's Commissioners for Revising and Consolidating the Criminal Law, p. 33 (1845).

Commission of Appeal, brought in 26th February 1830.

-- Michael Scales, a Parishioner of the Parish of St. Mary, Stratford, Bow, in the County of Middlesex and Diocese of London, Appellant; against William Hoile, one of the Churchwardens of the said Parish, Respondent.

-- Brawling --

*Sir Joseph Littlehale, Knight, Justice of King's Bench.
*Sir Stephen Gaselee, Knight, Justice of Common Pleas.
*Sir John Vaughan, Knight, Baron of the Exchequer.

James Henry Arnold
*Joseph Phillimore
*Augustus Gostling - Doctors of Laws.
*John Dodson -
*John Haggard -
*John Nicholl -

-- Decrees of Courts below reversed, but no order made as to costs.

4 December 1830.

-- The suit was instituted in 1828, under the Act 5 & 6 Edward VI., c. 4.

Scales was charged with quarrelling, chiding, and brawling at a vestry meeting of the parish of St. Mary, Stratford, and with endeavouring, by personal violence, to eject one Thomas Bilton, who attended the vestry by the desire of the chairman, one of the churchwardens, as solicitor to the parish.

In his defence Scales denied both the brawling and the violence, and alleged that Bilton had interrupted the meeting; that a motion requesting him to withdraw had been proposed and seconded, but that the chairman had refused to put it to the vote, and that he (Scales) had then gently requested Bilton to withdraw, who in return had violently assaulted him.

23rd July 1829.—The Court pronounced that the charges of quarrelling, chiding, and brawling by words had not been proved, but that the charge of violence had been satisfactorily proved, and decreed Scales to be an excommunicate person; and that, as such, he should be imprisoned for the period of seven days; they also condemned him in costs.

Archies.

28th January 1830.—The Court of Archies affirmed the Decree of the Consistory Court, remitted the Cause, and condemned the Appellant in costs.

Delegates.

4th December 1830.—The Court reversed the Decrees of the Consistory and Archies Courts, retained the Cause, and pronounced that the Promoter had failed in proof of the Articles, and dismissed Scales from the original Citation served upon him, and from all further observance of justice in respect thereof, but made no order as to the costs.

The Case is reported in *Haggard's Ecclesiastical Reports*, Vol. II., p. 566. See also Vol. III., p. 371.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATION.
190	Commission of Appeal, brought in 10th November 1831.	- - Jonathan Greenwood and Thomas Spedding, two of the Churchwardens of the Parish of Dewbury, in the County and Diocese of York, <i>Appellants</i> ; James Graves and others, respectively Parishioners and Inhabitants of the same Parish, <i>Respondents</i> .	Chancery Court, York.	- - Correction of Parishioners for refusal to make church-rate.	*Sir William Bolland, Knight, Baron of the Exchequer. *Sir John Bernard Bosanquet, Knight, Justice of Common Pleas. *Sir William Elias Taunton, Knight, Justice of King's Bench. James, Henry Arnold - *John Daubeny - } Doctors Jesse Addams - } of *John Haggard - } Laws. James Chapman - } *William Calverley Curtis }	- - Decree affirmed, and Cause remitted, with costs.	28 June 1832	<i>Chancery Court of York.</i> - - At a vestry meeting of the Parish of Dewbury, held on the 16th of August 1830, for the purpose of making a rate for the repair of the parish church and other expenses relating thereto, the Respondents forming, it would seem, a majority of the parishioners then present, had refused to agree to the rate proposed by the Appellants, as churchwardens, and instead had voted a rate of less than half the amount, being, it was alleged, wholly inadequate for the necessary repair of the parish church and other expenses. For this they were articulated by the churchwardens in the Chancery or Diocesan Court. But the judge of the Court (13th May 1831) rejected the Articles, with costs; whereupon the churchwardens appealed to the Delegates.
191	Commission of Appeal, brought 26th April 1832.	-- John Whish and Samuel Woollett, formerly Churchwardens of the Parish of Knebworth, in the County of Hertford and Diocese of Lincoln, <i>Appellants</i> ; against The Rev. James Hesse, Clerk, of the same Parish, County, and Diocese, <i>Respondent</i> .	- - Arches	- - Correction of Clerk for simony.	*Sir Stephen Gaslee, Knight, Justice of Common Pleas. Sir John Vaughan, Knight, Baron of the Exchequer. Sir James Parke, Knight, Justice of King's Bench. *John Daubeny - *Joseph Phillimore - } Doctors *Augustus Gostling - } of *John Dodson - } Laws. Thomas Blake - } James Chapman - }	- - Appeal abandoned, and Cause remitted, with costs.	12 July 1832	<i>Delegates.</i> 28th June 1832.—The Court pronounced against the Appeal, affirmed the Decree of the Court below, and remitted the Cause, with costs. See <i>Haggard's Eccles. Reports</i> , Vol. IV., p. 77. <i>Arches.</i> - - The suit was instituted in the Court of Arches in 1831. Hesse was charged with having corruptly and simoniacally procured or accepted the Rectory of Knebworth. Whish and Woollett, tenants of Mrs. Lytton, the patronesses of the living, were the Promoters, but apparently, at the instigation of Kelly, Mrs. Lytton's steward. In a suit between Mrs. Lytton and the late rector, the Court of Chancery had in the preceding year decided against a <i>modus</i> or composition of 26 <i>l.</i> per annum, which Mrs. Lytton had tried to set up in lieu of the tithes, amounting to 210 <i>l.</i> per annum, due in respect of lands held by her. In the present suit it was asserted, on the sole authority of Kelly, that Hesse's father, as agent for his son, had, on the presentation of the latter to the rectory, agreed that the tithes alleged to be covered by the <i>modus</i> should be leased to Mrs. Lytton for 26 <i>l.</i> a year. Hilary Term, 1832.—The Court pronounced that the charge of simony had not been proved against Hesse, that no simoniacal contract had been established, and that even if it had, being without his privity and unconfirmed by him, he could not have been proceeded against to a sentence of deprivation in a criminal suit. Hesse was accordingly dismissed from all further observance of judgment, and the Promoters condemned in costs. The Appeal to the Delegates was abandoned before any process had been brought in. The foregoing account of the case has been abridged from <i>Haggard's Eccles. Reports</i> , Vol. III., p. 659.

Consistory Court.

-- The suit was promoted in 1832 by White against Wilcox, for preaching, administering the Sacraments, &c., in an unconsecrated building called Downshire, or St. John's Chapel, in the parish of Hampstead, without any License.

On the 5th July 1832, being a bye-day, the Court assigned the Cause for informations and sentence "whenever," and on the 18th of the same month, Wilcox not appearing, proceeded to hear the Cause *in penam*, pronounced that the Articles had been proved, and admonished Wilcox to abstain from officiating in Downshire Chapel without White's consent, and a License obtained for that purpose, and condemned him in costs. From this Decree Wilcox appealed.

Archies.

5th December 1832.—The Court of Archies pronounced for the Appeal on the ground that the 18th July, on which day the Decree had been pronounced, was not, so far as appeared from the proofs, a Court day duly appointed. The Court then reversed the Order made on the 5th July, and retained the Cause, but pronounced that the Articles had been proved, admonished Wilcox not to preach, &c., in the said unconsecrated building without consent of White and a proper License, and condemned him in 50*l.* for costs in the Court below, but gave no costs of Appeal. Upon this Wilcox appealed again.

Delegates.

22nd June 1833.—The Delegates affirmed the Decree of the Court below, and remitted the Cause, but made no order as to costs.

22 June 1833

-- Decree of Court of Archies affirmed, and Cause remitted, but without costs.

*Sir John Bayley, Knight, Baron of the Exchequer.

*Sir John Bernard Bosanquet, Knight, Justice of Common Pleas.

*Sir William Elias Taunton, Knight, Justice of King's Bench.

James Henry Arnold -

*Sherrard Beaumont Bur-

naby.

*John Daubeny - - - Doctors

*Joseph Phillimore - - of

Thomas Blake - - - Laws.

*William Calverley Curteis

-- Correction of Clerk for officiating in an unconsecrated building without License.

-- Archies, on appeal from the Consistory of London.

-- The Reverend John Wilcox, of the Parish of Saint John, Hampstead, *Appellant*;

against
The Reverend Samuel White, *D.D.*, perpetual Curate of the Chapelry and Parish of Saint John, Hampstead, in the County of Middlesex, and Diocese of London, *Respondent*.

Commission of Appeal, brought in 14th January 1833.

SIXTH PERIOD—1790—1838—continued.

No.	Date of the Appeal.	Names and Descriptions of the Parties to the Appeal.	Court or Courts Appealed from.	Nature of the Cause.	Names and Descriptions of the Delegates on the Commission.	Nature of the Sentence, or whether the Cause was otherwise Settled or Abandoned.	Date of the Sentence, &c.	OBSERVATIONS.
193	Commission of Appeal, dated 26 September 1838, brought in 3rd November 1838.	- - The Reverend Lewis Bowerbank, M.A., late of the Island of Jamaica, Clerk, Rector of the Parish of St. Catherine, in the said Island, but at present residing at No. 14, Harley-street, in the County of Middlesex, <i>Appellant</i> ; against The Right Reverend Christopher, by Divine permission Bishop of Jamaica, <i>Respondent</i> .	- - Court of the Bishop of Jamaica.	- - Correction of Clerk for non-compliance with Bishop's Orders.	Henry, Marquess of Lansdowne, President of the Privy Council. William Henry Cavendish, Duke of Portland. John Jeffreys, Marquess Camden. Dudley, Earl of Harrowby. Henry, Viscount Sidmouth. Charles Christopher, Lord Cottenham, Lord High Chancellor. John Singleton, Lord Lyndhurst (Ex-Lord Chancellor). *Henry Lord Brougham (Ex-Lord Chancellor). Thomas, Lord Denman, Lord Chief Justice of Queen's Bench. Henry, Lord Langdale, Master of the Rolls. Sir Lancelot Shadwell, Knight, Vice-Chancellor of England. Sir Nicholas Conyngham Tyndall, Knight, Chief Justice of Common Pleas. *Sir John Bernard Bosanquet, Knight, Justice of Common Pleas. Sir John Vaughan, Knight, Justice of Common Pleas. William Draper, Lord Wynford (Ex-Chief Justice of Common Pleas). James, Lord Abinger, Lord Chief Baron of the Court of Exchequer. *Sir James Parke, Knight, Baron of the Exchequer. Sir William Alexander, Knight (Ex-Chief Baron of the Exchequer). Sir William Garrow, Knight (Ex-Baron of the Exchequer). Sir John Bayley, Bart. (Ex-Baron of the Exchequer). *Sir Herbert Jenner, Knight, Judge of the Prerogative Court of Canterbury (and Dean of the Arches). The Honourable Thomas Erskine, Chief Judge of the Court of Bankruptcy. <i>Note.</i> —It is stated in Moore's Report of the case, that the Right Honourable Dr. Lushington was present during part of the proceedings, but his name does not appear in the Commission of Appeal, nor in the minutes entered in the Assignment Books.	- - Sentence of Bishop of Jamaica reversed, with costs. a Commission of Delegates was issued, including, however, the several members of the Judicial Committee of the Privy Council, to which, by the combined operation of the Acts 2 & 3 Will. 4, c. 92, and 3 & 4 Will. 4, c. 41, the powers of the High Court of Delegates had been transferred; but it seems that a Petition was also addressed to the Queen in Council, whence the case was referred, in the usual manner, to the Judicial Committee, and that all the subsequent proceedings were conducted in the form of an Appeal to the Queen in Council. The facts of the case were as follows:— The "Island Curate" of St. Catherine's, who was also the officiating minister of a licensed place of worship in a neighbouring parish, having solemnised in that place of worship a marriage between two parishioners of St. Catherine's, Bowerbank, the Rector of St. Catherine's, refused to register the marriage, on the ground that the place in question was not within that parish. Upon this the Bishop of Jamaica directed him to register the marriage, omitting the name of the parish, and on his declining to enter it in that form, cited him to appear in the Parish Church of St. Andrew. 1st February 1838.—Bowerbank appeared accordingly, and entered the marriage in the manner directed, but for his previous contumacy the Bishop sentenced him to be suspended <i>ad officio</i> for the space of four days, and until he should make in the Parish Church of Saint Catherine, openly before the congregation, full acknowledgment of his error, and of his sorrow and contrition for his disobedience, and should renew his oath of canonical obedience. After applying in vain to the Court of Chancery in Jamaica for a Prohibition, Bowerbank appealed to the <i>Queen in Chancery</i> , and a Commission of Appeal passed the Great Seal, addressed to a large number of Delegates, being, it is said, "all the several members of the Judicial Committee" of the Privy Council.— <i>Moore's Reports</i> , Vol. II., p. 465. No case was lodged for the Bishop; but when the Appeal came on for hearing (14th December 1838), his agent handed in a printed statement, that his Counsel had not felt themselves justified in advising that an appearance should be entered for him, so as to make him in any sort a litigant party to the Appeal, the competency of which he did not admit; but that his Counsel would attend the hearing in testimony of the Bishop's respect for their Lordships, without, however, proposing to address them. Upon this their Lordships expressed their opinion that such a statement was wholly unusual, and could not be taken notice of as a defence; and that the withdrawal of the Bishop's Counsel after a day had been fixed, and an appearance given in for him, would not preclude them from proceeding. They also intimated that the Appeal ought to have been to the Queen in Council, and a reference prayed to the Judicial Committee, and not for a Commission of Delegates; but that, being included as members of the Judicial Committee in the Commission, and forming the requisite number, they could hear and report on the Appeal. The Court then, after hearing the Appellant's Counsel, declared that the Bishop's sentence could not be sustained, inasmuch as Bowerbank had not been cited to answer any particular charge, and no Articles had been administered to him in writing for the purpose of making his defence. Accordingly the Court pronounced for the Appeal, reversed the sentence appealed from, retained the Cause, and therein directed the Bishop of Jamaica to do and perform all necessary acts, in order that whatever the Appellant might have been deprived of in consequence of the sentence might be restored to him. The Court also dismissed Bowerbank from the original motion, and from all further observance of justice in the Cause, and condemned the Bishop of Jamaica in costs, both in the Court below and on the Appeal. Subsequently (22nd February 1839) the Master of the Queen's Bench, to whom the costs were referred for taxation, having refused to allow those incurred in obtaining the Commission of Delegates, the Appellant's Counsel applied to their Lordships to declare whether they had adjudicated the Appeal, as members of the Commission of Delegates or as a Judicial Committee, but their Lordships declined to determine the question until the same judges should be present who had heard the Appeal, two of them being then on circuit; and the application was withdrawn. The case is fully reported in <i>Moore's P. C. Cases</i> , Vol. II., pp. 449-471. There is also in the Registry of Appeals a Process or copy of all the proceedings in Jamaica.	14 December 1838.	

ALPHABETICAL LIST OF APPEALS.

The Numbers in this List are the Numbers of the Appeals, &c. as they stand in the Return.

A.	No.	E.	No.
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(*Mr. Hubbard.*)

*Ordered, by The House of Commons, to be Printed,
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FORESHORES.

RETURN to an Order of the Honourable The House of Commons,
dated 29 November 1867;—for,

COPY “of MEMORANDUM as to BOARD of TRADE’s DEALINGS with FORESHORE
and BED of the SEA.”

Board of Trade, }
29 November 1867. }

T. H. FARRER.

MEMORANDUM as to BOARD of TRADE’s DEALINGS with FORESHORE and BED of the SEA.

Board of Trade, December 1866.

THE duties of the Board of Trade with respect to foreshores and bed of the sea may be conveniently divided under the following heads:—

1. To ascertain in what parts of the coast the Crown has parted with its rights, in what parts its rights are undoubted, and in what parts the title is doubtful.
2. To prevent encroachments on the foreshore.
3. To watch Bills which may contain enactments affecting the foreshore.
4. To sell or lease or license the use of the soil where expedient so to do.

1. *Ascertaining Title.*

This, which logically ought to be the first thing done, it will probably be prudent to postpone.

The Office of Woods will give us as complete a statement as can be furnished of the present state of the title all round the coast; but this must necessarily be very imperfect. They can give us those cases in which the Crown has undoubtedly conveyed away its rights, but their knowledge must be very imperfect of the titles set up by innumerable claimants, especially as regards the claims which virtually rest upon user.

I have no doubt that in the end we shall have to do something to ascertain or determine these rights; but, with the present prejudice against the Crown, it would be unwise to stir the question now. If we can, in the course of our dealings, make it clear that our principal object is not to assert the proprietary rights of the Crown to the detriment of frontagers and others, but to protect the public from private encroachment upon land and sea, which is the public property of the nation, we shall be able to raise the question of title in a much less invidious way, and with much greater prospects of success, than would be at present possible.

It is, however, to be remembered that every day which passes without an assertion of the Crown’s rights is telling against those rights. In many places acts of ownership, or apparent ownership, are going on, and we either do not know of them or cannot prevent them. The law seems to have decided, absurdly enough, that whilst the statutory period in case of actual and complete adverse possession sufficient to give a title as against the Crown is 60 years, yet that enjoyment for a much shorter period and of a much more limited kind may be enough to justify

a jury in finding that an original grant from the Crown is to be presumed. Thus a man may have been in possession of land in the Regent's Park for 59 years, and have built upon it and used it as his own without disturbance during the whole of that time, and yet if he defends his occupation on the ground that he has acquired a title by adverse possession, he may be turned out in the 60th year. But if he has taken shingle from a beach during a much shorter time, it seems doubtful whether it might not be presumed as against the public that the Crown at some unknown period made him a grant of the soil. Moreover, it has been held that modern user is admissible to explain an ancient grant (in general terms) of a manor or territory, and to show that the shore on which acts of ownership have been exercised was, in fact, part of the property granted, although not in express terms included in the description in the grant.

In considering the subject of the Crown's title to foreshore and bed of the sea, it is to be remembered that this title is not usually an absolute title to the exclusive enjoyment of the soil, and that the Crown cannot ordinarily convey such title. Its title is subject to various rights on the part of the public, *e. g.*, rights of fishing and of navigation, and in particular places and according to local customs, to other public rights. The public right of bathing has been denied by a court of law, but the decision has been questioned by high authorities, and may be considered doubtful.

Whatever may have been the principles which the Office of Woods, guided by their statutes, have been compelled to pursue, there can be no doubt that it should be the policy of the Board of Trade, so far as the law will permit, to admit and even encourage, and perhaps in some cases to enforce, such rights, whether over the soil which still remains in the Crown, or over those parts of it which have been granted away to private persons. Indeed, it is with a view to the protection of such rights rather than with a view to revenue that it is desirable to maintain the title of the Crown. This subject is further adverted to below.

2. Preventing Encroachments.

These may be going on at all times and in all places. They may be of various kinds; *e. g.*

1. Encroachments by constructing works, docks, walls, piers, drains, &c. &c., on or in the foreshore or bed of the sea.
2. Taking of gravel or other materials from the foreshore or bed of the sea.
3. Excluding the public from walking, bathing, boating, landing, fishing, &c.
4. Other acts of ownership, or claims to ownership of various kinds, which it is impossible to define.

Means of obtaining notice.

Of these acts some may be injurious to navigation or other public rights; whilst others may have little or no effect as against the public, except as evidence against the title to the Crown. But whatever they may be, it is desirable that they should be brought at once to the notice of the Board of Trade, in order that it may judge whether or not it is desirable to take steps to prevent or to qualify them. For this purpose we should issue a circular through the Board of Customs and the Coast Guard to all their officers, directing them to report any of the above cases at once to this Board.

In doing so these officers should describe the nature of the act, should give us, if necessary, a plan, and should inform us, if they can, whether the act is done under the claim of a proprietary title or not. They should also be carefully instructed to state whether the act interferes with any right hitherto enjoyed by the public, such as that of navigation, fishing, landing, beaching, walking, bathing, gathering sea-weed, &c. Great care should be taken to make this point prominent in the circular, so that the public may see that it is our principal object.

Cases where encroachment is not injurious.

The course to be adopted on receiving notice of such encroachment must differ according to the circumstances. The act may not be injurious to the rights hitherto enjoyed by the public, and may only be objectionable on the ground that it tends to establish a title adverse to that of the Crown, and may thus help to prevent

prevent the Board of Trade from asserting that title in subsequent instances. In such cases we may be placed in great difficulty, especially if the act itself is useful, and if the title of the Crown is doubtful. We shall have no public support in protecting a mere title which does not appear to be of any immediate public advantage. And we shall be not unnaturally found fault with if we interpose obstacles to the execution of a really useful work. In such cases we must endeavour, as well as we can, to encourage the work, and at the same time get the parties to make some acknowledgment which may reserve the Crown's rights. Again, the act may or may not be injurious, but the pecuniary value, present or future, of the title affected by it, may be such as to make it important on this ground to assert the rights of the Crown. These are the cases of which I am most afraid. We cannot give way, and we shall fight at great disadvantage. It is impossible to lay down beforehand any precise rule for all such cases, and we must be guided by circumstances. But our object must be to get the parties making the encroachment to purchase or take a lease. The mode in which this may be done is considered below, under Heading, No. 4, page 6.

In another class of cases we shall see at once that the act is immediately injurious to the public, and that there is reason to interfere, not only on the ground of its affecting title, but because it tends more or less directly to deprive the public of some existing right or enjoyment. In such cases the Crown may clearly have no title, or it may have a good title, or it may be doubtful whether it has a title or not.

Cases where encroachment is injurious.

In the first of these cases we shall have no better *locus standi* for interference than we have at present, and we shall find ourselves in the same difficulty as we were in before the foreshores were transferred to us.

We are now often called on by persons locally interested in the navigation or otherwise to prevent some inclosure, to preserve some beaching ground, to stop the taking of shingle, &c. &c.; and we are placed in great difficulty because we have not, except in the case of Local and Private Acts, any special or summary powers for enforcing the public rights. We can, in fact, do nothing more than any individual may do. If there is a case for it the Attorney-General may file an information for an injunction, or bring an indictment for a nuisance. But it is always a serious question whether such proceedings are worth the expense, and whether the Government should undertake them. This is a difficulty which I think must sooner or later be met by legislation, giving both to the Board of Trade and to Local Harbour Authorities more summary remedies than at present exist. Various Bills have been drawn at various times, both at the Admiralty and the Board of Trade, for this purpose, but they have never been proceeded with; and it will probably be wise now to defer any attempt to deal with this part of the subject till we have more experience of the foreshore question.

The law on this part of the question is well stated in the annexed memorandum by Mr. Thring, written at a time when he was consolidating the Admiralty Statutes.

It will be observed that he there proposes that the title of the Crown to the foreshore should be made subservient to the above purposes. This course we propose to adopt; but it will not help us where the Crown has parted with its title.

In the second case, viz., where the title of the Crown is clearly good, we shall be bound to take some steps to put a stop to the injurious encroachment. But what these steps may be will depend upon its nature.

In some cases we must require it to be stopped altogether; in others we may be content with a modification. From our present experience, I believe that a simple requisition from the Board of Trade, charged as it is with the duty of protecting the public, and now armed with a title to the soil, will in many cases be sufficient. If this is not acceded to we may have to go to law; and in such a case I fear that the remedy, as the law at present stands, may be troublesome and expensive. I do not doubt that legislation on this point will be necessary hereafter, but it is better to defer it till we have more experience, and have established a good character.

Lastly, in cases where the Crown's title is doubtful we must act in the same way as if it were good, except that we must do so with greater caution, and be more ready to compromise the question on the principle of reserving to the public their rights and easements over the soil.

3. *Watching Bills which contain Enactments affecting Title to Foreshore.*

This will be a laborious business every Session.

The memorandum from the Office of Woods, a copy of which is annexed, shows what has hitherto been found necessary. I trust it may not be found as formidable as it looks in the list.

Bills containing alterations of the general law.

The title of the Crown being peculiar, it seems to have been thought necessary to examine not only Bills which specially affect those parts of the soil of the United Kingdom which belong to the Crown, but all Bills which alter the law of evidence or of real property. I have some doubts whether we ought to trouble ourselves about these Bills. If any alteration of the general law is desirable, I see no reason why it should not apply to the Crown's titles as well as to other titles. The Crown as a landowner ought to be in no better or worse position than other landowners. At present it is nominally in a better position, practically it is in a worse. Its title is ousted by adverse possession of 60 years instead of 21. On the other hand it has no one to look after its rights; and the lawyers have practically altered the Statutes of Limitation applicable to the Crown by the fiction of allowing a jury to presume a grant. It is accused of oppression if it brings actions against individuals; and the leaning of courts and juries is often in favour of a single concrete human being, and against that abstract or collective entity called the public. Our endeavour should be, not to reserve questionable legal privileges, but to endeavour to get courts and juries to see that we are protecting the public, and to give to us fair measure accordingly.

I think, therefore, we may let Bills affecting the law generally alone, or at any rate we may trust to the watchfulness of the Office of Woods, who will still for the sake of the remaining Crown property be obliged to see to them as before.

Fisheries Bills may also now be practically let alone. The Oyster and Mussel Fisheries Act, 1866 (29 & 30 Vict. c. 85), provides Provisional Orders for persons anxious to obtain fishery grants.

The remainder of the Bills under consideration, viz. Bills specially affecting foreshore and bed of the sea, we shall have carefully to examine. They may be divided into two classes:—

(a.) Those which authorize the construction of some work on the soil.

(b.) Those which, without authorizing any work on the foreshore or bed of the sea, either directly or by implication affect the title to it.

Bills for constructing some works on the foreshore.

30 Vict. c. 20, s. 17.
26 & 27 Vict. c. 92,
s. 13 to 19.

30 Vict. c. 27, s. 12.
25 & 26 Vict. c. 69.

(a.) In the former case we already examine the Bills and plans, in order to see that they do not injuriously affect navigation, and we must continue to do so. In the course of this examination we may do all that is required to protect title. In the case of Railway Bills, or of Harbour and Dock Bills, and of Provisional Orders for Harbours and Docks, we shall have to see that "the Railways Clauses Consolidation Act, 1845, the Railways Clauses Act, 1863, and the Harbours, Docks, and Piers Clauses Act, 1847," are properly incorporated. When this is done there are clauses referred to in the margin, which coupled with section 5 of "the Harbours Transfer Act, 1862," provide that the plans shall not be carried out without the consent of the Board of Trade, nor except according to such working plans as the Board of Trade may approve; and which also give certain other powers for the protection of the public. These clauses will, probably, give us ample power to make provision when the working plans are submitted to the Board of Trade both for the protection of public rights, of navigation, &c., and of the Crown's title: and we have only to see that the clauses in question are properly incorporated and not impaired by other provisions.

Of course the above observations do not apply to the case of a work which is essentially objectionable, and the objections to which cannot be removed, such as reclamation schemes which would destroy an important harbour. These we must oppose *in toto*, if and so far as we can.

In cases where works are contemplated, and the above Acts are not incorporated, *e. g.* in the case of Drainage Acts, our course will be to require the insertion in the Bill of Clauses similar to those in the Consolidation Acts.

There is, however, one case unprovided for by these clauses, viz., that of land on the shore to be reclaimed by the proposed works. For the disposal of such land, and for the reservation of due compensation to the Exchequer, special provision must be made in each case.

(b.) In

(b.) In the second class of Bills, viz., those which affect the title of the Crown without proposing to construct works, we must examine the Bills and require such alterations as may be necessary in the clauses, and also, if it is proposed to take foreshore, add a clause such as is now always inserted, to the effect that it shall not be taken without our consent.

Bills which affect title without construction of works.

I fear this may cause a good deal of labour, as will be seen by looking at the subjoined list of Bills. It would be facilitated if the standing order which now requires the deposit with the Board of Trade of railway and navigation Bills were extended to all Bills which in any way affect the title to Foreshore; and it would be still better if in any general Consolidation Act we could get clauses introduced saving the Crown's rights in all cases of reclamation of land, and in all cases where it is proposed to affect the title of the Crown.

Whatever we do, this watching private Bills is a most harassing and unsatisfactory business. After all our work we do not know what is done with any Bill in its progress through the House. It is impossible to watch it at every stage, and we have no control whatever over it in either House.

4. *The Selling, Leasing, or Licensing the Use of Foreshore,*

The class of cases will be three-fold:

(a.) Cases arising under private Acts or Provisional Orders.

(b.) Cases of persons making encroachments as above mentioned who are stopped by the Board of Trade, and only allowed to proceed on condition of purchasing or acknowledging title.

(c.) Cases where parties apply to the Board of Trade for leave to purchase.

(a.) In the first of these cases it is, in general at any rate, to be assumed, that the use of the foreshore is required for some purpose of public utility; and there can therefore be no question as to the propriety of the Crown parting with its rights upon such conditions as may be contained in the Act or Order, and upon such further conditions, if any, as the Board of Trade by the Special Act or Order may be empowered to impose for the protection of the public. The only questions will be what those conditions should be, and what should be the terms of sale or lease. The special conditions will of course depend on the circumstances of each case. We may have to require facilities of access to the shore, to beaching ground for fishermen, and many other things which it is impossible to detail.

Cases under Acts or Provisional Orders.

Experience shows that the easiest plan of settling such questions is in ordinary cases to allow the Bill to pass with such provisions as are contained in the clauses above referred to, giving to the Board of Trade ample control over the execution of the works; and then to settle details afterwards when the works are to be commenced. This relieves the office, as well as the agents and engineers, in the busy part of the Session; it postpones the questions of detail till a time when all parties have a more complete knowledge of the case; and it prevents unnecessary labour on abortive schemes.

In the same way it will be well as a general rule to postpone the terms of lease or sale till after the Act has passed, relying on the various clauses I have referred to above.

The question of the terms of sale or lease is the same in the case of sales or leases under private Acts as in other cases, and is considered below.

(b.), (c.) In the second and third class of cases mentioned above there is no presumption that the intended use of the shore is beneficial, and the first question we shall have to ascertain is, whether the grant of the soil, or liberty to use it, shall be made at all.

Cases not under Acts or Provisional Orders.

For this purpose we must, as above suggested in the case of an encroachment, first of all make the following inquiries:

1. What is the work or use of the soil which is contemplated?

2. What are the present rights or enjoyments of the public over it, and how far will what is proposed interfere with them?

For this purpose we must have a form of letter to the applicant, and another for the officer of Coast-guard or Customs on the spot. And if any serious question

appear to be raised, we must be prepared to send some one down to make special inquiry.

Supposing it proves that what is proposed can be done (with or without modification) so as not to prejudice public rights or enjoyments, we may enter on the question of terms of purchase. But when these are settled and the purchase is to be completed, we ought to insist on the insertion of stipulations similar to those contained in the Railway Clauses Acts, viz., to the effect that no work shall be executed on the land conveyed or leased unless plans are first submitted to and approved by the Board of Trade; and that in case of any works when constructed becoming nuisances or dangerous, the Board of Trade shall have power to remove and charge the expense against the grantee.

The above suggestions have reference to the protection of the public, and though their tendency will be to diminish the value of the soil and the purchase money of what we sell, we must be most careful to put them prominently forward.

There is one other point on which we should be careful. The frontager, though he may have no legal title, has certainly a considerable interest in the foreshore, and we must take care that he is heard, and that we do not hastily or wantonly authorise works on the foreshore which will be detrimental to him. For this purpose it will be right to require every intending purchaser and lessee to give notice to the frontager. And it may often, if not generally, be found both just and expedient to give him the right of pre-emption. In cases where the title to the foreshore is in dispute between the Crown and the frontager, it may often prove desirable to compromise this question by a settlement, which, whilst preserving to the frontager the enjoyment of his own estate, shall prevent either party from excluding the public from the shore.

It remains to consider the question of the terms and form of selling or leasing and the following observations on this point have reference to all the three classes of cases we are considering under this heading.

A great deal of the prejudice which exists upon this subject has arisen from the fact that the Office of Woods has been bound to get the best possible price; and it is not unnaturally alleged that they have been ready to sacrifice important public rights if they could only get high prices.

The matter is essentially a difficult one even for a department which is not bound to look only, or principally, to price.

In our hands the property in question is simply the property of the public,—the whole proceeds go to the Exchequer; and strictly speaking it may seem that there is no reason why the public should not make the most of their property, and sell it for the highest price they can get, just like any other landowner.

Where the Crown has granted away its rights over foreshore, *e. g.*, at Liverpool, the Corporation of Liverpool and neighbouring landowners have sold them for enormous sums. Why should not the Crown, which is the original grantor, do the same? Any grant to a corporation, a company, or an individual, of foreshore at less than its market value is a gift to that particular party out of the Exchequer of a sum of money equivalent to the difference between the market value and the price at which he gets it.

If we could act strictly on this view our course would be clear. But we should find ourselves in serious difficulties. The argument assumes that the title of the Crown is clear, that the courts of law and the public will support us in enforcing it; it assumes finally, and the assumption is fatally erroneous, that the pecuniary interest of the public in the foreshore is its most important interest.

In a country crowded as England is, where the preservation of every open space is of the highest importance for the public health and enjoyment; in a maritime country, where facilities for navigation, for fishing, boating, beaching, landing, and shipping are essential to our trade and to the well-doing of our maritime population—it is of the greatest moment that the control of the public and of the Government over the bed of the sea and over the strip of common which lies between land and open sea should be preserved, so that it may be used for the furtherance of the important interests above referred to, and so that nothing may be done with it which is inconsistent with those interests. To sell it to private persons because a high price is offered, without reference to these interests, would be as absurd as it would be to sell Dover pier, or to enclose or build in the London parks. It is with this view that I have suggested the various precautions mentioned in the earlier part of this memorandum, and with the same

same view we must be prepared to forego in many cases the prices which, if we were private landowners, we might insist on demanding.

We have, therefore, to act on very mixed considerations. We have to consider the actual existing value of the soil; the value of it to the purchaser when used for his purposes; the use he intends to make of it, and how far that use is beneficial to the public; and finally the restrictions we have to place on that use in order to prevent injury to the public.

It is obvious that with such a state of things we can lay down no specific rules concerning the terms we shall demand. But the following are principles which, so far as the law permits, I think we may try to apply to the cases as they arise. Proposed principles.

1. The proposed work may be one occupying but little space, may be of obvious public utility, and may yet be one in which there is no direct pecuniary return. Of this nature are culverts made through or over the beach for the purpose of draining a town; groynes for the purpose of maintaining a public road; hard or landing places open to the public without payment; rifle butts erected on the shore, &c., &c.

In such cases we ought, I think, to be satisfied to give a license to use the soil either without any payment at all, or with such a nominal payment only as will, coupled with the requisite acknowledgment, reserve the title to the soil.

2. The work may be one taking up little of the shore, and be one of obvious utility, but for the use of which rates are demanded, and from which there may consequently be a revenue. Of this nature are the piers at watering places, now so common; the numerous jetties and landing places, and even small harbours constructed by proprietors and others for the improvement of their properties and for the benefit of fishermen, &c. In these cases also I think we may be liberal. Little is taken from the public by the work, and much convenience is given to them by it. It is true that the public benefited is a local public, but local publics are numerous, and there is something of a general character in these outlets of the kingdom. Some small payment should probably be made as an acknowledgment, but it should be small. And when it is found possible to take it in the shape of a royalty on profits actually made, so much the better.

3. The work may be one occupying a large quantity of foreshore, and with a view to an important commercial undertaking, *e. g.*, a railway, or a dock, or a harbour for shipping. In this case we shall probably require a careful survey and valuation, and must act accordingly. To what extent the prospective value, arising perhaps from the work itself, is to be taken into consideration is very hard to say, and much will probably depend on the circumstances of each case. Whenever it is possible to take the payment in the shape of a royalty on profits it will be desirable to do so. Possibly a distinction may be made between the case of a company working for profit and a public trust; but this is doubtful.

4. The work may be a land reclamation scheme. In this case, as it is an undertaking simply with a view to make the land itself more valuable, I think we are entitled to a fair share of profit corresponding to the corpus which we give up. There must of course be a valuation in each case. We must not take a share of the land reclaimed, for we shall be bad landowners; but possibly we may take a payment proportioned to the value of the land reclaimed.

5. The work may be any oyster or mussel fishery. In this case we may probably take a small royalty on the produce. A license to use the soil would probably be sufficient in this case.

But assuming these principles, vague as they are, to be correct, we must see what the law allows us to do. We have at present under the Act of last Session the same powers, and the same powers only, which the Office of Woods have had, and we are limited by the same restrictions. Legal difficulties.

Their Acts have been purposely framed so as to prevent their parting with land at less than its value. Mr. Trevor has prepared a note of the effect of these Acts, which is appended to this memorandum, as is also the opinion of Mr. Reilly on the same subject. The general result is as follows:

We have not under these Acts any express power to give a license to use the soil. Our consent must be given in the shape of a lease or deed of sale. We have no power to make a lease or sale without receiving a sufficient rent or consideration, and it is obvious that according to the spirit of these Acts this rent or consideration

Probable legislation.

consideration ought to represent the full value. Leases must not be for more than 31 years, except in the case of land upon which docks, embankments, &c., are to be made, in which case they may be for 99 years. No sale, unless the purchase money is under 100 £., and no lease can be made without a Treasury warrant; but the warrant may be granted for a class of cases. No sale or lease can be made without a previous survey or valuation, except in cases where the value cannot be ascertained by survey, or when the value is known to be so inconsiderable as not to be worth the expense of survey.

If these provisions are to be strictly acted upon in the spirit in which they appear to have been conceived; if we are to put the parties to the expense of a survey whenever the property will bear it; if we are in all cases to ask full value and to require the Treasury sanction, it will be impossible to act on the principles I have indicated above as essential to the successful working of the Act of last session; and, sooner or later, we must amend it, by getting rid of the necessity for surveys, and by obtaining powers to grant licenses to use the soil, and power to arrange disputes as to title, on the footing of reserving public rights and enjoyments. Observe the difficulty we are in, and the danger to the title we are supposed to protect. Suppose an encroachment to be brought to our notice, *e. g.*, a pier built by a frontager. The soil occupied is of small importance in point of money to the Crown, the work is in itself useful, but it will certainly be used hereafter as an evidence of title against the Crown. If we could say to the proprietor, "Take a license from us or lease at a nominal rent and acknowledge the "Crown's title," the difficulty would probably be at an end. But if under the present law we must say to him, "You cannot build your pier without a lease or "deed of purchase, and in order to get it we must send down a surveyor, and "you must pay him his expenses and the lawyer's bill as well as the price "he chooses to put on the land," of course he will resist if he can, and we, if we go into court, shall do so with a prejudice against us. Our alternative would be to let the matter entirely alone, and allow the title of the Crown and the future rights of the public to be silently, but not the less effectually, defeated.

It is true that the following enactments, *viz.*, 10 Geo. 4, c. 50, s. 60, enabling the Treasury to grant their consent for a class of cases instead of in each individual case; the same Act, s. 62, dispensing with the necessity of a survey in cases where the land is obviously not worth a survey; 16 & 17 Vict. c. 56, s. 5, giving power, with consent of certain authorities, to compromise and settle disputed claims; and 29 & 30 Vict. c. 62, s. 11, dispensing with the necessity of any consent to compromises,—may, if liberally construed and acted upon, enable the Board of Trade to escape from these difficulties in some cases. But the whole scope and purport of the Acts concerning the Crown property is to prevent sales and leases at less than the real value; and if we are to act on a different principle it is desirable, if not necessary, to have the distinct sanction of Parliament.

There is one special class of cases in which we may perhaps avoid the above difficulties, *viz.*, the case of Provisional Orders, either for fisheries or for piers. In these cases we might, if the Treasury will consent, introduce into each order a clause enabling the Board of Trade to grant a lease or license to use the soil of and, so far as it belongs to the Crown, on such terms as they may think fit. These orders being confirmed by the confirming Act will become law, and we shall be enabled to act properly in the most pressing class of cases.

As regards other cases, it will probably be well to wait a little before introducing any Bill. We shall know better what we want after some little experience.

The above memorandum contains all the points on the subject of foreshores of which I can think at the present moment; others will suggest themselves in the course of practice.

There can be little doubt that we shall have sooner or later to bring in a Bill or Bills for the following purposes:

1. To ascertain, or give facilities for ascertaining, the Crown's title. This will be a delicate matter, and must be postponed for some time.
2. To enable the Board of Trade more effectually and summarily to protect navigation and other public interests.

3. To give the Board express powers to compromise disputed titles to the soil on the footing of reserving the rights and enjoyments of the public.

4. To enable the Board of Trade to deal more liberally with the title of the Crown in the case of works of public utility.

31 December 1866.

T. H. Farrer.

APPENDED.

1. Mr. Thring's Memorandum on Admiralty Conservancy Powers.
2. Memorandum from Office of Woods on the Steps to be taken with regard to Bills.
3. Mr. Cecil Trevor's Memorandum as to present Powers of Letting and Selling.
4. Mr. Reilly's Opinion on the same point.

APPENDIX, No. 1.

OBSERVATIONS written by Mr. *Thring* (when consolidating Admiralty Statutes) on that part which related to conservancy of navigation and foreshore. It was written in or about the year 1857, before the duty of protecting navigation had been transferred from the Admiralty to the Board of Trade.

Observations.

THIS Bill contains provisions relating to conservancy.

The earlier provisions of this Bill require particular attention, as they are not found in the Consolidated Statutes, and propose to make a considerable change in the mode of administering the law.

This change has been called for by a report of Captain Vetch, who, in a paper addressed to the Lords of the Admiralty, and dated the 15th of June 1858, has shown conclusively that the powers at present possessed by the Admiralty, whether at common law or by Statute, are insufficient for the protection of navigation.

The conservancy powers of the Lord High Admiral at common law consist in the franchise of erecting beacons, lighthouses, and seamarks, and of reforming nuisances on the high seas and navigable rivers beneath the first bridges and havens.

These powers must be carefully distinguished from the right of property in the soil of the sea-shore and of the sea, possessed by the Crown, to which attention will hereafter be directed, but which has never vested in or been placed under the control of the Lord High Admiral.

The above-mentioned common law franchise of erecting beacons, lighthouses, and seamarks has long since been abandoned by the Admiralty, and become vested by statute in the Trinity House, the Commissioners of Northern Lighthouses, and the Port of Dublin Corporation, and these bodies have by recent legislation been placed under the control of the Board of Trade. The remaining franchise of reforming nuisances on the high seas and navigable rivers practically has been reduced to a nullity, and the conservancy powers of the Admiralty may be regarded as depending solely on Statute.

The conservancy powers conferred by Statute on the Lords of the Admiralty are to be found in 46 Geo. 3, c. 153, and 54 Geo. 3, c. 159, and in the general Consolidation Acts known by the title of "The Railway Clauses Consolidation Act, 1845," "The Railways Consolidation Act (Scotland), 1845," and "The Harbours, Docks, and Piers Clauses Act, 1847."

There is also an Act called "The Preliminary Inquiries Act," 14 & 15 Vict. c. 49, which enables the Admiralty to institute preliminary inquiries, and report to Parliament in all cases where it is intended to make an application to Parliament for a private Act relating to any port or harbour, or to any tidal water, or to any navigable river, or in any manner directly or indirectly affecting the navigation of such port, harbour, tidal water, or navigable river.

The Consolidation Acts and the Preliminary Inquiries Act form no part of the general law of the kingdom; they require a private Act, or, in the case of preliminary inquiries, an application for a private Act, to bring them into force. In effect, they form one of the stipulations of a contract between the Legislature and the promoters of certain under-

Nature of Bill.

Change proposed in law relating to conservancy;

in accordance with report of Capt. Vetch.

Common law powers of admiral. Bacon's Ab. Prer., 498.

Blackstone's Commentaries.

Distinguished from right of ownership in Crown.

Insufficiency of common law powers.

Statutory conservancy powers of Lords of the Admiralty.

Preliminary Inquiries Act.

Consolidation Acts and Preliminary Inquiries Act.

takings by which the Legislature agrees to grant special powers to private companies, on condition of their giving the Lords of the Admiralty the control necessary for the protection of the navigation.

The Consolidation Acts cannot of course with propriety be included amongst the Admiralty Statutes, and they may be dismissed with the remark that they appear, from the report of Captain Vetch, to confer on the Admiralty all necessary powers of conservancy in cases where private Acts of Parliament have been obtained for the completion of any undertaking.

The Preliminary Inquiries Act is consolidated in the proposed Conservancy Bill, but as it confers no actual powers on the Admiralty it will be unnecessary to consider its provisions in the ensuing observations.

The remaining Statutes are 46 Geo. 3, c. 153, and 54 Geo. 3, c. 159.

The first of these Acts imposes penalties on persons erecting piers without giving notice to the Admiralty. The second makes provision for the preservation of Her Majesty's moorings, for unloading ballast, depositing gunpowder before entering into harbours, and for preventing the removal of shingle.

These Statutes are stated by Captain Vetch to be practically inoperative for the purposes of conservancy. He cites as an example the instance of Spurn Point, from the shore of which shingles and boulders have been removed to such an extent as to endanger the navigation of the Humber. Prosecutions were instituted under the Act of 54 Geo. 3, c. 159, but the magistrates having refused to convict, the Admiralty were left without any available remedy for the mischief.

The reasons given by the magistrates for their refusal is not stated. Probably they thought the Act did not apply, as it appears to be restricted in its operation to harbours and tidal waters near to the royal docks, dockyards, arsenals, wharfs, or moorings. However this may be, the practical result is, that in all cases where the provisions of the general Consolidation Acts are not called into action by special legislation, the Admiralty lack the necessary powers to protect navigation from injury.

The question then arises whether these defects exist in the law or only in the administration of the law.

The insufficiency of the common law as well as of the statutory powers of conservancy have already been adverted to, but it remains to be seen whether the right of property in the sea-shore possessed by Her Majesty as one of the prerogatives of Her Crown may not be called in aid to supply the want of conservancy power belonging to the Crown in its office of admiral.

The legal expression of this right of property is as follows:—"that the Queen is of common right seised of the soil of the bottom of the sea, and of the shore landwards up to the line of the medium high tides between the springs and the neaps."*

It is true that the subject may and does in many cases claim a right by grant or prescription to the sea-shore; still it belongs of common right to the Crown, and it is incumbent on the subject to prove his claim.

Such being the state of the law, it is obvious that as the Queen has the right of property in the soil she must possess the right to protect Her property from injury.

For example, the taking away pebbles, rocks, or sand from the shore will be taking away the property of Her Majesty; the throwing any sand, ballast, or rock into the sea will be a trespass on Her Majesty's property.

A difficulty, however, arises from the nature of the special remedies reserved to the Crown.

In the case of a subject, ejectment is the usual remedy for the purpose of determining the title to land.

The Sovereign, however, cannot bring an action of ejectment, because that action supposes dispossession of the plaintiff, and the Sovereign cannot be dispossessed by reason of the legal fiction that makes legal ubiquity one of the prerogatives of the Crown.

An action of trespass is the ordinary mode of redressing injuries done to real property. In strictness, such an action appears to be maintainable by the Crown, but in practice it has fallen into disuse.

The result is, that the only remedy actually adopted is an information on behalf of the Crown, called "an information of intrusion," filed in the Court of Exchequer by the Attorney General.

This remedy, as may be readily supposed, is too cumbrous and expensive for the effectual redress of the encroachments and trespasses which are constantly being made on the sea-shore.

A still greater difficulty arises from the circumstance that the right of property vested in the Crown is exercised by a different department of the State from that which exercises the right of conservancy.

The right of conservancy is, as has been already observed, possessed by the Lord High Admiral, while the right of property or control over the soil of the sea-shore, as being a portion of the possessions and land revenues of the Crown, is placed under the control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, who are permanent officers, and are not capable of sitting in the House of Commons.

This separation of the rights of conservancy and the right of property in the sea-shore, by vesting them in different departments, would of necessity appear to be destructive of the interests of navigation; the Bill, therefore, proposes to give the Admiralty the control over the soil of the sea-shore, and to forbid the granting of any lease or the selling of any tidal lands without the consent of the Admiralty.

The

Remaining Acts in force,

declared by Capt. Vetch to be inoperative.

Probable reasons for their being inoperative.

Nature of defects.

* Attorney General v. Chambers, 4 De Gex, M., & G. 206.

Right of property involves right to protect property.

Special remedies of the Crown.

Blackstone's Commentaries, vol. iv., p. 39.

Severance in administration of right of property and right of jurisdiction.

See 10 Geo. 4, c. 50, 2 & 3 W. 4, c. 1, and 14 & 15 Vict. c. 42.

Proposal of Bill.

The difficulties arising from the special remedies reserved to the Crown for any injuries to the sea shore will be cured by giving the Admiralty power to bring actions of ejectment and actions of trespass in the usual way. Special remedies of Crown.

It remains only to consider the cases in which portions of the sea shore belong to private owners. In such instances it would seem that compensation must be given to the owner before the Admiralty can be justified in interfering with private rights, however injurious the exercise of such rights may be to navigation. Rights of private owners in sea shore.

To meet this difficulty, therefore, the Bill proposes to allow the Admiralty to purchase the rights of private owners, under similar conditions to those under which Boards of Health are allowed by the Public Health Acts to purchase the lands necessary for carrying into effect the purposes of these Acts.

The rest of this Bill is occupied by a consolidation of the Statute of 54 Geo. 3, c. 159. Consolidation of existing Statutes.
It may be doubted, however, whether it would not be expedient to omit many of the consolidated provisions, and to insert a section imposing a penalty on any person taking away shingle, except in the exercise of a private right, providing at the same time that any question of title arising in the case of a prosecution for a penalty may be decided by a magistrate, with an appeal to a superior court.

Appendix, No. 2.

MEMORANDUM from the Office of Woods as to Parliamentary Business as to FORESHORE in the Department of the Solicitor to the Commissioners of Woods.

1. Public Bills.
2. Private Bills.

1. *Public Bills.*

In this class are included hybrid Bills; that is, Bills for effecting public improvements, for acquiring land for the public service, and various other Bills of a public nature, but the carrying out of which will affect private rights. Notices under the Standing Orders are given for hybrid as well as for private Bills, but they are introduced on motion instead of petition.

It is difficult to give any definition of the various classes of public Bills which affect directly or indirectly the rights and interests of the Crown. The Bills which will specially be referred to are therefore only mentioned as examples of some of the classes which require attention:

- A. All Bills relating to the transfer of, or registry of titles to, land in any part of the United Kingdom.
- B. Fishery Bills, more especially Bills relating to salmon fishings in Scotland, or to oyster fishings in England, Wales, or Scotland.
- C. Harbour conservancy and navigation Bills.
- D. Inclosure and other Bills for the drainage and improvement of land, including Bills relating to the enfranchisement of copyholds.
- E. Bills affecting the practice of courts of law or equity, or the law of evidence.
- F. Generally all other Bills affecting landed property.
- G. Bills for vesting land in the Admiralty of the War Department. Care should be taken that no Crown land is included.
- H. All hybrid Bills of which notices have been given.
- I. Bills for the local government of towns.
- K. Bills for the limitation of actions or suits.
- L. Bills for the conformation of Provisional Orders as to piers and harbours.

2. *Private Bills.*

In many cases notices under the Standing Orders are given, but in regard to very many Bills which affect the Crown's rights notices are not given; and it is therefore necessary before the beginning of each Session to go through the prints of the whole of the private Bills, and to ascertain which of them seem likely to affect the Crown's interests.

The Bills to which attention should be more particularly paid are the following:—

a.—Bills relating to Bridges and Ferries.

In regard to these Bills it should be seen if they affect land which belongs to the Crown, as being below high-water mark. If they do, the usual saving clause should be inserted, and the clauses should be examined to see that they do not recognise a title adverse to

the Crown, or vest in the trustees or commissioners of the bridge or ferry land, or works which were not actually vested by previous Act of Parliament, which in case of doubt should be borrowed from the promoters and perused with the above object.

b.—Bill relating to Harbours, the Conservancy of Tidal Rivers and Navigations.

The same examination with respect to the admission of adverse claims in the clauses of a Bill of this class, and as to vesting of land or works by previous Acts, must be made as is above suggested with respect to the Bills in class (*a*).

In addition, it is requisite to go carefully through the recitals and clauses of these Bills, and to see that none of them will be inconsistent with the Crown's saving clause, or will prejudice the Crown's interest in the land within the harbour.

The parts of these Bills which ordinarily require particular attention are the recitals, interpretation clause, the clauses vesting works already or hereafter to be constructed, and all clauses relating to works upon, or powers of dealing with, any land below high-water mark.

The clauses inserted for the Crown are usually two, viz., the usual saving clause, and a clause as to the title to land which may be reclaimed by works under the authority of the Act when passed.

c.—Drainage and Embankment Bills.

With regard to Drainage Bills the same general principles are applicable as with respect to Bills in class (*b*).

In respect to Embankment Bills, care must be taken to look through the recitals and clauses, and make such amendments as may be necessary to prevent the admission of titles adverse to the Crown. The usual Crown clauses are two, viz., a clause similar to clause 31 in "The Fergus Navigation Act, 1860," fixing the compensation for the Crown to receive, and as to which a surveyor's opinion will have been previously obtained, and a clause saving the right to accretions outside the land to be embanked, similar to section 34 of "The Lynton Harbour Act, 1864."

"The Tees Conservancy Act, 1858," furnishes a precedent for Bills when the works of reclamation are to be undertaken by the trustees of a navigable river.

d.—Fishery Bills.

The Oyster and Mussel Fisheries Act, 1866, 29 & 30 Vict. c. 85, creates a new machinery for obtaining oyster fishery grants.

The Bills in this class are almost entirely confined to oyster fisheries. Unless a legal fishery, the property of a subject, already exists, the Bill should be examined or amended so as to prevent its being construed as a recognition of claims adversely to the Crown; and especial care should be taken to provide that the use of the land for the purposes of the fishery, and the acquisition of a right of several fishery is not to take place till the promoters have acquired title to the use of the soil. Two clauses are usually introduced—the usual saving clause, and a clause authorising the granting a lease for a term of 60 years.

"The Ham Fishery Bill, 1865," is a precedent.

e.—Improvements in Towns.

Unless notice has been given it is seldom necessary to examine a Bill of this class, unless it relates to a town on the sea coast or the shore of a tidal navigable river.

In the latter cases it is necessary to see that no powers are given affecting the shore, unless after the local authorities have obtained title from the Crown or other the owner. It is also desirable to see that in the interpretation clause the word "street," or any similar word, is not declared to include the shore.

The usual saving clause should also be inserted.

See the Rhyl Improvement Act, 1852.

f.—Inclosure Bills.

As the inclosure of waste lands in England and Wales is usually effected through the medium of the Inclosure Commissioners, it seldom happens that a Bill is brought in for the special purpose of sanctioning the inclosure of any particular waste or common.

When such an event happens it will of course be necessary to ascertain if the Crown has any interest, and, if it has, to see that such interest is duly protected.

It is not impossible that several Bills for the inclosure of waste land in Ireland may be brought into Parliament.

The General Act does not extend to Ireland.

g.—Railway Bills.

In the ordinary case of a railway across tidal land a saving clause suffices, but where there is reason to apprehend that the railway embankment will cause an accretion of land outside of it, the clause as to future accretions before mentioned should also be inserted.

The recitals and clauses in the Bill as printed must also be examined, and the necessary amendments made. When a railway will affect the Crown property to a considerable extent,

extent, it is usual, in addition to the saving clause being inserted, to have an agreement with the promoters as to accommodation works, compensation, &c., and in some cases (as in "The Waterloo and Whitehall Railway Act, 1865") special clauses are also necessary to be inserted in the Act itself.

No fixed rule can, however, be laid down as proper to be followed in these cases.

h.—Telegraph Bills.

The usual Crown saving clause should be inserted, and the Bills be examined to see that they do not contain any objectionable clauses.

The amendments and clauses proposed should be sent to the agents for the various Bills as soon as practicable.

APPENDIX, No. 3.

ANALYSIS by Mr. *Trevor* of Crown Lands Acts, showing the present Powers of Letting, Selling, and otherwise dealing with Crown Lands.

- 10 Geo. 4, c. 50.— - Principal Act.
- 2 & 3 Will. 4, c. 1. - Works, &c., united with Woods, &c.; New Inrolment Office.
- „ „ c. 112. - Land revenue in Scotland placed under management of Office of Woods, &c.
- 3 & 4 Will. 4, c. 69. - Commissioners to have same powers as to land revenue in Scotland as in England.
- 5 Vict. c. 1. - - Powers of Commissioners extended to copyholds.
- 8 & 9 Vict. c. 99. - Powers of leasing sea shore derelict or gained extended to 99 years.
- 14 & 15 Vict. c. 42. - Works, &c., severed from Woods, &c.
- 15 & 16 Vict. c. 62.
- 16 & 17 Vict. c. 56.
- 29 & 30 Vict. c. 62. - Management of foreshore transferred from Woods, &c., to Board of Trade.

Principal Act, 10 Geo. 4, c. 50.

Sect.

- 8. Possessions and land revenues of the Crown "to which this Act relates" to be under management of Commissioners of Woods, &c.
- 9. Commissioners to observe rules and directions made and given by Treasury with respect to discharge of duties of their office.
- 12. Power to appoint and remove surveyors, receivers, and other officers.
- 16. Anything directed to be done by Treasury to be done by three Commissioners.
(Two only now sign Warrants. *Qy.* by what authority?)

Leases.

- 22. Commissioners may demise and lease, or enter into contract for demising and leasing, any part of Crown lands for 31 years.
- 23. Commissioners may grant leases for 99 years,—
 - (1.) Where buildings comprise the greater part of yearly value of property.
 - (2.) Ground for building houses with or without gardens, where the intended lessee shall covenant to erect buildings of greater annual value than the ground.
 - (3.) Ground proper for gardens to be used with houses already or to be built; or proper for other purposes of convenience and accommodation to the occupiers of such houses.

PROVISO:—Lease for gardens not to extend beyond duration of subsisting lease of house to which the same is to be attached.

See 8 & 9 Vict. c. 99, s. 1, sea shore derelict or gained, *infra*.

- 26. Leases may be in possession or reversion.
- 27. Rent reserved to be payable to Crown free of taxes.
Proviso for re-entry to be inserted.
- 28. Leases to be at rack rent, with certain exceptions mentioned:
 - 8 & 9 Vict. c. 99, s. 2-4. - Provisions as to building leases.
 - „ „ 6-7. - Commissioners may accept surrender of leases.
 - „ „ 8. - Commissioners may relieve from certain breaches of covenant, which power was by
 - 15 & 16 Vict. c. 62, s. 2 - extended; but consent of Treasury requisite.

Sect.

Sales.

34. Commissioners may contract and agree for the sale of, and absolutely make sale and dispose of, for such sum or sums of money as to them shall appear a sufficient consideration for the same, any part of Crown lands, not being part of Royal forests, &c.
35. After contract entered into, purchaser to pay purchase money, if amounting to 100*L.*, into Bank of England, where cashier to give receipt; if under 100*L.*, payment to be made either into bank or to Commissioners.
- On production of receipt, or on payment to them, Commissioners "shall execute to purchaser or purchasers a conveyance under their hands and seals, of the premises agreed to be sold." Execution of conveyance by Commissioners to be attested by one witness. Such conveyance to be valid and sufficient to pass the Crown's estate.

Exchanges.

- 42-44. Commissioners may exchange any part of Crown lands, and for that purpose convey Crown lands; every such conveyance to be attested as to execution by Commissioners by one witness, and to be valid and sufficient to pass the Crown's estate.
- Commissioners may give or receive money for equality of exchange.

Grants.

45. Crown may by Treasury warrant enrolled grant sites for churches, &c., not exceeding five acres in one grant.
46. Commissioners may confirm any lease, sale, exchange, or grant, which from any informality or otherwise may have become void.
- 48-51. Commissioners may purchase leases.
- 52-56. Commissioners may purchase lands.
- 57-59. Commissioners may apply land revenues to redemption of land tax.

Accompanying Formalities.

60. No purchase or sale (except where purchase money is under 100*L.*) and no exchange, lease, or grant, to be made without Treasury warrant. Warrant may be given for any particular class of cases or for each separate transaction.
61. Survey to be made before agreeing to lease or making any purchase, sale, or exchange. Surveyor's report to be in writing under hand, and to have annexed thereto an oath (now a declaration, 5 & 6 Will. 4, c. 62).
62. Survey need not be made:
- (1.) Where value cannot be ascertained by survey.
 - (2.) Where value is previously known to be so inconsiderable as not to be worth the expense of survey.
 - (3.) Where lands, being in Ireland, have been surveyed since 1820.
- 63-67. Enrolment of all deeds under Act within six months:

2 & 3 Will. 4, c. 1, s. 21.	In the Land Revenue Record Office.
" " s. 24.	Repealed by 14 & 15 Vict. c. 42, s. 6. All deeds to be enrolled, whatever the amount of purchase money.
" " s. 22.	Fees. 14 & 15 Vict. c. 42, s. 62.
" " s. 26.	Certified copies of deed to be receivable in evidence.
15 & 16 Vict. c. 62, s. 8.	
" " s. 7.	Duplicate of deed sufficient enrolment.
16 & 17 Vict. c. 56, s. 6.	Deeds enrolled in Land Revenue Record Office not to require enrolment in Courts of Law, &c.

68. Enrolment may be made *nunc pro tunc*. 2 & 3 Will. 4, c. 1, s. 17.
- 70-72. Duplicates of all instruments as to lands in Ireland to be transmitted to Record Office in Ireland.

General Provisions.

73. Lessees, purchasers, &c., not bound to see the Act has been complied with.
74. Purchasers not to be answerable for application of purchase money.
- 77, 78. All deeds and instruments to be free of stamp duty; no auction duty payable on sales.
- 79-90. Receivers, provisions as to.
91. Crown tenants and lessees in arrear to pay interest.

Sect.

94. Disputes concerning boundaries of lands, rights of way, or other rights or easements, may be settled by arbitration. See 16 & 17 Vict. c. 56, s. 5, *infra*, and 29 & 30 Vict. c. 62, s. 26.
- 96-107. Clauses concerning forests.
- 108-112. Application of monies arising from sales, &c.
113. Application of annual income of Land Revenue.
- 117-123. Account to be kept at the Bank of England. Other money provisions.
125. Commissioners to give annual Report both to Crown and to Parliament of what leases, sales, exchanges, and grants have been made during the past year; and of other particulars.

Scotland.

2 & 3 Will. 4, c. 112.

Land Revenues in Scotland placed under management of Commissioners of Woods, &c., in England.

3 & 4 Will. 4, c. 69.

2. Commissioners of Woods, &c., to have same powers with regard to Land Revenues in Scotland as they have in England.
3. All provisions of principal Act to extend to Scotland.
- 4-5. How purchase money to be paid.
- 7-9. Provisions as to registration and enrolment.

Copyholds.

5 Vict. c. 1.

5. Powers of Commissioners of Woods, &c., extended to copyholds.

2 & 3 Will. 4, c. 1.

Works, &c., united with Woods, &c.

14 & 15 Vict. c. 42.

Works, &c., severed from Woods, &c.

8 & 9 Vict. c. 99.

1. Commissioners may lease for 99 years sea shore derelict or gained, provided that where embankments, docks, &c., or other permanent improvements are contemplated, lessee need not covenant to erect other buildings there.

15 & 16 Vict. c. 62.

- 3, 4. Rents and other payments may be apportioned.
5. On any sale, exchange, enfranchisement, or other conveyance of Crown lands the conveyance may be made subject to such provisoes for making the same void, or other conditions and provisoes as may be deemed expedient.

16 & 17 Vict. c. 56.

5. Power of Commissioners of Woods, &c., with consent of Crown by sign manual, and of the Treasury by warrant, and if proceedings have been instituted, subject to the approval of the Attorney General, to compromise and to settle disputed claims. The necessity of these consents is now not requisite under the Crown Lands Act, 1866. See 29 & 30 Vict. c. 62, s. 11.

29 & 30 Vict. c. 62.

§ 7. "From and immediately after the thirty-first day of December one thousand eight hundred and sixty-six all such parts and rights and interests as then belong to Her Majesty in right of the Crown of and in the shore and bed of the sea, and of every channel, creek, bay, estuary, and of every navigable river of the United Kingdom, as far up the same as the tide flows (and which are hereinafter for brevity called the foreshore), except as in this Act provided, shall, subject to the provisions of this Act, and subject also to such public and other rights as by law exist in, over, or affecting the foreshore or any part thereof, be and the same are hereby transferred from the management of the Commissioners of Woods to, and thenceforth the same shall be under the management of, the Board of Trade."

Transfer of management of foreshore to Board of Trade.

APPENDIX, No. 4.

OPINION of Mr. *Reilly* on Powers of Letting and Selling Foreshore.

Foreshore.

I have considered "The Crown Lands Act, 1866," with reference to Mr. Farrer's note of the 10th instant, and its enclosure, and his note of the 11th instant.

I concur generally in Mr. Farrer's view of the effect of the Act. It is not necessary to go into details for the present purpose.

It is plain that the Board of Trade will find itself seriously fettered in the administration of the foreshore by the terms of the Act as it passed. When the Bill was undertaken and introduced it was not contemplated that the transfer of the foreshore to the Board of Trade from the Woods and Forests should be clogged with the provisions introduced into the Bill in its passage through the House of Lords.

In order to show distinctly what was contemplated when the Bill was introduced, I insert here the principal clauses of the Bill (as introduced and as it went up to the House of Lords) relative to the powers of the Board of Trade over the foreshore:—

Power to sell or lease portions of foreshore for harbours, &c.

"8. The Board of Trade from time to time, subject as aforesaid, may sell for such considerations, and may lease for such terms, at such rents and on such conditions as they think fit, any portions of the foreshore under their management, to be used as the sites of, or for purposes connected with, harbours, docks, or piers, or other works of navigation or public utility.

Like power for other purposes not injurious to navigation, &c.

"9. In cases not within the last foregoing provision the Board of Trade from time to time, subject as aforesaid, may sell for such considerations, and may lease for such terms, at such rents and on such conditions as they think fit, any portions of the foreshore, on their certifying, with respect to every such sale or lease, to the effect following; namely, that the sale or lease appears to them to be (for reasons stated in the certificate) expedient, and that in their opinion it will not be injurious to the interests of navigation, or inconsistent with the lawful or reasonable public use or enjoyment of any portion of the foreshore.

Power to grant licenses to occupy.

"10. In any case where the Board of Trade are authorised by this Act to sell or lease any portion of the foreshore, they may, in lieu of so doing, grant a license to occupy the same for such time, at such rent, or for such consideration, and on such conditions as they think fit."

When the Bill went up to the House of Lords, objections were raised to it on the part of some proprietors of land in Scotland (the Duke of Argyll, the Duke of Buccleuch, the Duke of Sutherland, and others), who alleged, among other things, that the Crown's rights to the foreshore are not, by law, of the same nature or extent in Scotland as in England. The result was, that in order to save the Bill it became necessary to put it into the form in which it received the Royal assent.

The only course open to the Board of Trade, in order to relieve itself from the difficulties imposed on it by the Act in the administration of the foreshore, will be to obtain an amendment of the Act.

With regard to England there would, I apprehend, be no difficulty in obtaining an Act containing provisions identical with those of the Bill as introduced.

The only difficulty would be with regard to Scotland. It would be necessary for the Board of Trade either to come to terms with the Scotch proprietors, or to ascertain by legal proceedings the exact nature and extent of the Crown's rights to the foreshore in Scotland, and then to propose legislation on that basis.

F. S. Reilly.

Lincoln's Inn, 17 December 1866.

FORESHORES.

COPY of MEMORANDUM as to Board of Trade's
Dealings with FORESHORE and BED of the
SEA.

(*Mr. Stephen Cave*).

*Ordered, by The House of Commons, to be Printed,
29 November 1867.*

HOUSE OF LORDS CAUSES.

(Communicated from the Lords, 11th June 1868.)

“RETURN of the Number of CAUSES Standing for Hearing before the HOUSE OF LORDS at the Commencement of the Present Session of Parliament, and of the Number already Heard during the present Session (to 8th June inclusive), with the Number of DAYS on which the LORDS have Sat for Hearing APPEALS, and the Number of HOURS occupied on each Day of Sitting, and the Names of the LORDS who Sat on each Day.”

Number of Causes standing for Hearing before the House of Lords at the Commencement of the present Session of Parliament - - - - -	42
Number of Causes already Heard during the present Session - - - - -	24
Number of Days on which the Lords have Sat for hearing Appeals - - - - -	40

The House of Lords meets for Judicial Business at Eleven o'clock on Mondays, and at half-past Ten on Tuesdays, Thursdays, and Fridays, and rises at Four o'clock.

NAMES of the LORDS who Sat on each Day :

February 20th, 21st, 24th, and 25th :

Lord Chancellor Chelmsford.
Lord Westbury.
Lord Colonsay.

March 9th, 10th, 12th, and 13th :

Lord Chancellor Cairns.
Lord Westbury.
Lord Colonsay.

March 16th, 17th, 19th, 20th, 23rd, 24th, & 26th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Westbury.
Lord Colonsay.

March 27th, 30th, and 31st :

Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

April 2nd and 3rd :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Westbury.
Lord Colonsay.

April 27th and 28th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Colonsay.

April 30th and May 1st :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

May 4th :

Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

May 5th, 7th, 8th, 11th, and 12th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

May 14th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Saint Leonards.
Lord Chelmsford.
Lord Westbury.
Lord Romilly.
Lord Colonsay.

May 15th and 18th :

Lord Cranworth.
Lord Saint Leonards.
Lord Chelmsford.
Lord Romilly.
Lord Colonsay.

May 19th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Saint Leonards.
Lord Chelmsford.
Lord Romilly.
Lord Colonsay.

May 22nd :

Lord Cranworth.
Lord Saint Leonards.
Lord Chelmsford.
Lord Romilly.
Lord Colonsay.

May 25th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Romilly.
Lord Colonsay.

May 26th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

May 28th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Westbury.
Lord Colonsay.

May 29th and June 8th :

Lord Chancellor Cairns.
Lord Cranworth.
Lord Chelmsford.
Lord Westbury.
Lord Colonsay.

John George Shaw Lefevre,
Cler. Parliamentor.

HOUSE OF LORDS CAUSES.

(Communicated from the Lords, 11th June 1868.)

RETURN of the Number of Causes Standing for Hearing before the House of Lords at the Commencement of the present Session of Parliament, and of the Number already Heard during the present Session (to 8th June inclusive), with the Number of Days on which the Lords have Sat for Hearing Appeals, and the Number of Hours occupied on each Day of Sitting, and the Names of the Lords who Sat on each Day.

(Mr. Labouchere.)

*Ordered, by The House of Commons, to be Printed,
16 June 1868.*

INSOLVENT DEBTORS.

RETURN to an Order of the Honourable The House of Commons,
dated 13 June 1867;—*for*,

RETURNS “ of the Number in each Year of CASES since 1855 in which JUDGMENT was entered up under the INSOLVENT DEBTORS ACTS upon WARRANTS of ATTORNEY given by DEBTORS on their DISCHARGE, and the DIVIDENDS paid out of any after-acquired Property Distributed under such Judgments : ”

“ And, the Number of PETITIONS of INSOLVENT DEBTORS taken off the FILES of the COURT, or otherwise superseded, after the ORDER of DISCHARGE of such DEBTORS.”

Number of Cases in which Judgment was entered up on Warrants of Attorney in each Year from 1st January 1856 to 13th June 1867.						Dividends paid out of after-acquired Property Distributed under such Judgments.	Number of Petitions of Insolvent Debtors taken off the Files of the Court, or otherwise superseded, after the Order of Discharge of such Debtors.						
1856	-	-	-	-	309	(a)	1856	-	-	-	-	-	14
1857	-	-	-	-	295		1857	-	-	-	-	-	18
1858	-	-	-	-	345		1858	-	-	-	-	-	27
1859	-	-	-	-	295		1859	-	-	-	-	-	18
1860	-	-	-	-	310		1860	-	-	-	-	-	26
1861	-	-	-	-	323		1861	-	-	-	-	-	23
1862	-	-	-	-	75		1862	-	-	-	-	-	22
1863	-	-	-	-	1		1863	-	-	-	-	-	20
1864	-	-	-	-	2		1864	-	-	-	-	-	15
1865	-	-	-	-	2		1865	-	-	-	-	-	14
1866	-	-	-	-	2		1866	-	-	-	-	-	11
1867	-	-	-	-	4		1867	-	-	-	-	-	5
TOTAL - - - 1,963								TOTAL - - - 213					

(a) This cannot be ascertained without very considerable delay and expense, without communicating with the Creditors' Assignees in upwards of 1,900 cases, and the Chief Registrar has not felt himself justified in attempting it, more especially as in all probability the Return would, after all, be exceedingly inaccurate. The present imperfect Return has cost 30*l.* 3*s.*

Court of Bankruptcy, }
5 December 1867. }

John F. Miller,
Chief Registrar.

INSOLVENT DEBTORS.

RETURNS of the Number in each Year of Cases since 1855 in which Judgment was entered up under the INSOLVENT DEBTORS ACTS upon WARRANTS of ATTORNEY given by DEBTORS on their DISCHARGE, and the DIVIDENDS paid out of after-acquired Property distributed under such Judgments; and, of the Number of PETITIONS of INSOLVENT DEBTORS taken off the Files of the COURT, or otherwise Superseded, after the ORDER of DISCHARGE of such DEBTORS.

(*Mr. Leeman.*)

*Ordered, by The House of Commons, to be Printed,
6 December 1867.*

37

JUDGES' LODGINGS.

RETURN to an Order of the Honourable The House of Commons,
dated 20 March 1868;—for,

A RETURN “of all SUMS which have been paid by the HIGH SHERIFF of each of the COUNTIES of *England* and *Wales* for the Expenses of JUDGES' LODGINGS at ASSIZES, and of the SUMS which have been paid to the HIGH SHERIFF by the TREASURY in Reimbursement of that Outlay, together with the Dates of the Payments by the Sheriffs and the Repayments by the Treasury respectively, from the Date of the last Return up to the present Time (in continuation of Parliamentary Paper, No. 224, of Session 1865).”

(Mr. Darby Griffith.)

Ordered, by The House of Commons, to be Printed,
21 April 1868.

Dorset	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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Hilk	Spring	105	23 April 1864	150	25 April 1865	105	20 May 1865	150	11 June 1866	105	23 May 1866	150	6 May 1867
	Summer	45	-	-	-	45	24 May 1865	-	-	45	2 April 1867	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Surrey	Spring	70	4 April 1864	140	22 Aug. 1865	70	Mar. 1865	140	30 July 1866	70	Mar. 1866	140	18 Nov. 1867
	Summer	70	30 Aug. 1864	-	-	70	13 Sept. 1865	-	-	70	-	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Sussex	Spring	65	23 Mar. 1864	175	4 Aug. 1865	65	22 Mar. 1865	175	9 July 1866	65	19 July 1866	130	29 July 1867
	Summer	65	20 July 1864	-	-	65	21 July 1865	-	-	65	-	-	-
	Winter	45	-	-	-	45	15 Dec. 1865	-	-	-	-	-	-
Warwick	Spring	55	19 April 1865	55	19 June 1865	55	7 June 1866	55	30 July 1866	55	23 Feb. 1867	55	20 May 1867
	Summer	-	-	-	-	-	-	-	-	-	-	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Westmoreland	Spring	85	8 Feb. 1865	70	26 June 1865	85	17 Feb. 1866	70	23 April 1866	85	1 Feb. 1867	70	8 July 1867
	Summer	-	-	-	-	-	-	-	-	-	-	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Wilts	Spring	55	30 Mar. 1864	110	25 July 1865	55	14 Mar. 1865	110	14 May 1866	55	31 Aug. 1866	110	17 June 1867
	Summer	65	22 July 1864	-	-	65	12 Aug. 1865	-	-	65	-	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Worcester	Spring	210	7 Mar. 1865	210	3 April 1865	210	16 Feb. 1866	210	11 April 1866	140	16 Mar. 1867	140	6 May 1867
	Summer	-	-	-	-	-	-	-	-	-	-	-	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
Yorkshire	Spring	52	7 Feb. 1865	42	10 July 1865	32	29 Dec. 1865	32	30 July 1866	32	10 Dec. 1866	32	5 July 1867
	Summer	11	-	9	-	2	-	2	-	13	-	11	-
	Winter	-	-	-	-	-	-	-	-	-	-	-	-
WALES	-	-	-	-	-	-	-	-	-	-	-	-	-

A sum of 25 £. is allowed by the Treasury to the sheriff of each county. This is paid to the Auditor, and handed over by him to the Sheriff, without the production of any receipt.

N.B.—The sums allowed to the Sheriffs of England are payable by the Treasury at the end of the Shrievalties, and any delay in payment beyond that time arises from the laches of the Sheriffs in not transmitting their accounts for audit.

George Wilkin.
John H. Preston.

JUDGES' LODGINGS.

RETURN of all SUMS which have been paid by the High Sheriff of each of the COUNTIES of *England and Wales* for the Expenses of Judges' Lodgings at Assizes, and of the Sums which have been paid to the High Sheriff by the Treasury in Reimbursement of that Outlay, &c., during the Years 1864-5, 1865-6, and 1866-7 (in continuation of Parliamentary Paper, No. 224, of Session 1865).

(*Mr. Daryl Griffith.*)

Ordered, by the House of Commons to be Printed,
21 April 1868.

JURIES.

RETURN to an Address of the Honourable The House of Commons,
dated 22 July 1867;—for,

“ RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Sittings of the SUPERIOR LAW COURTS at *Westminster* and *London*, and at the ASSIZES throughout *England* and *Wales*; distinguishing the Metropolis from the Country, and the Special from the Common Jury Causes; also, the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years mentioned.”

COURT OF QUEEN'S BENCH.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Sittings of the COURT of QUEEN'S BENCH at Nisi Prius in *Middlesex* and *London*, distinguishing the Special from the Common Jury Causes; and, also, of the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years above mentioned.

		Middlesex.		London.		TOTALS.
		Common Juries.	Special Juries.	Common Juries.	Special Juries.	
1865	Number of causes for the trial of which juries were summoned and sworn.	229	35	114	39	417
1866	Ditto - - ditto - - -	242	45	104	57	448
1865	Number of jurors fined - - -	10	7	10	2	29
1866	Ditto - - ditto - - -	-	4	-	21	25

Note.—A general panel of common jurors is summoned each term in Middlesex and in London for the trial of common jury causes; and a separate panel of 24 special jurors is summoned in each of the special jury causes, of whom 12 are sworn for the trial of the particular cause in which they are summoned.

H. G. Campbell, Associate.

COURT OF COMMON PLEAS.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Sittings of the COURT of COMMON PLEAS at Nisi Prius in *Middlesex* and *London*, distinguishing the Special from the Common Jury Causes; and, also, of the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years above mentioned.

		Middlesex.		London.		TOTALS.
		Common Juries.	Special Juries.	Common Juries.	Special Juries.	
1865	Number of causes for the trial of which juries were summoned and sworn.	217	30	151	93	491
1866	Ditto - - ditto - - -	255	51	140	66	512
1865	Number of jurors fined - - -	-	6	15	-	21
1866	Ditto - - ditto - - -	2	3	-	4	9

Note.—A general panel of common jurors is summoned each term in Middlesex and in London for the trial of common jury causes; and a separate panel of 24 special jurors is summoned in each of the special jury causes, of whom 12 are sworn for the trial of the particular cause in which they are summoned.

T. W. Erle, Associate.

COURT OF EXCHEQUER.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Sitzings of the COURT of EXCHEQUER of PLEAS at Nisi Prius in *Middlesex* and *London*, distinguishing the Special from the Common Jury Causes; and, also, of the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years above mentioned.

		Middlesex.		London.		TOTALS.
		Common Juries.	Special Juries.	Common Juries.	Special Juries.	
1865	Number of causes for the trial of which juries were summoned and sworn.	216	46	118	58	438
1866	Ditto - - - ditto - - -	266	30	122	42	460
1865	Number of jurors fined - - -	-	-	-	-	- nil.
1866	Ditto - - - ditto - - -	-	-	-	-	- nil.

Note.—A general panel of common jurors, consisting of 60 in Middlesex and 72 in London is summoned each term for the trial of common jury causes; and a separate panel of 24 special jurors is summoned in each of the special jury causes, of whom 12 are sworn for the trial of the particular cause for which they summoned.

Henry Pollock, Associate.

COUNTY PALATINE OF DURHAM, ON THE NORTHERN CIRCUIT.

RETURN of the Number of CAUSES for the Trial for which JURORS were Summoned and Sworn, in the Years 1865 and 1866, at the Assizes held in and for the said County Palatine, and Number of Jurors Summoned who were Fined.

		JURORS		
		Summoned.	Sworn.	Fined for Absence.
1865	Special jury causes - - - - -	6	5	—
	Common jury causes - - - - -	18	14	—
1866	Special jury causes - - - - -	7	6	—
	Common jury causes - - - - -	24	14	—

John Ward,
Acting Prothonotary and Associate.

COUNTY PALATINE OF LANCASTER.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Assizes in the COUNTY PALATINE of LANCASTER, distinguishing the Special from the Common Jury Causes; and, also, of the Number of Persons Summoned on such Special and Common Jury Causes who were Fined for Non-attendance in the Years mentioned.

	SPRING ASSIZES.						SUMMER ASSIZES.						WINTER ASSIZES.				Total Tried.	Number of Common Jury Fined for Non-at- tendance.	Number of Special Jury Fined for Non-attendance.
	Lancaster.		Manchester		Liverpool.		Lancaster.		Manchester.		Liverpool.		Manchester.		Liverpool.				
	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.	Common Jury.	Special Jury.			
1865 -	5	1	34	24	34	34	6	5	27	31	45	31	31	4	38	17	367	- none -	Liverpool summer assizes, 7 fined 10 <i>l.</i> each; fines on 3 afterwards remitted; fines on remaining 4 estimated.
1866 -	5	-	25	17	33	32	4	-	34	10	36	26	12	8	34	17	293	- none -	- none.

As regards fines on common jurymen, I beg to observe, that at the assizes in this county, the common juries, both on the criminal and civil side, are taken from the same panel, one panel only being returned by the sheriff for both sides; and as it is the practice to call over the panel of common jurors in the Crown Court, the fines for non-attendance are generally imposed there, and of those fines I have no knowledge.

Edmund R. Harris,

Prothonotary's Office, Preston, 16 January 1868.

Acting Prothonotary and Associate.

HOME CIRCUIT.

ASSIZES FOR HERTS, ESSEX, KENT, SUSSEX, AND SURREY.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the above Assizes.

—	COUNTY.	Special Jury Causes.	Common Jury Causes.	TOTAL.
1865	Herts - - - - -	2	17	19
	Essex - - - - -	4	13	17
	Kent - - - - -	11	23	34
	Sussex - - - - -	3	13	16
	Surrey - - - - -	49	124	173
		69	190	259
1866	Herts - - - - -	1	13	14
	Essex - - - - -	4	12	16
	Kent - - - - -	13	28	41
	Sussex - - - - -	2	11	13
	Surrey - - - - -	48	113	161
		68	177	245

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned, in the Years 1865 and 1866, at the above Assizes.

—	COUNTY.	Special Jury Causes.	Common Jury Causes.	TOTAL.
1865	Herts - - - - -	2	19	21
	Essex - - - - -	6	15	21
	Kent - - - - -	17	35	52
	Sussex - - - - -	5	16	21
	Surrey - - - - -	87	186	273
		117	271	388
1866	Herts - - - - -	2	16	18
	Essex - - - - -	8	13	21
	Kent - - - - -	16	34	50
	Sussex - - - - -	5	14	19
	Surrey - - - - -	96	151	247
		127	228	355

From the above it appears that in the two years juries were summoned to try 244 special jury and 499 common jury causes, but they were only sworn to try 137 special jury and 367 common jury causes, leaving 107 special and 132 common jury causes disposed of without the juries being sworn.

RETURN of the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years 1865, 1866.

Surrey Assizes, Summer, 1866.—Special jurors fined - - - - 10.

And none other during the two years 1865, 1866.

Henry Avory,
Deputy Clerk of Assize.

MIDLAND CIRCUIT.

RETURN of the ASSOCIATE of the MIDLAND CIRCUIT respecting the CAUSES for which JURIES were Summoned and Sworn at the Assizes on the MIDLAND CIRCUIT during the Years 1865 and 1866.

						Number of Causes Entered.		
						Common Juries.	Special Juries.	TOTAL.
In 1865 :								
For	Warwickshire	-	-	-	-	22	10	32
	Derbyshire	-	-	-	-	6	6	12
	Nottinghamshire	-	-	-	-	6	2	8
	Town of Nottingham	-	-	-	-	6	2	8
	Lincolnshire	-	-	-	-	11	8	19
	City of Lincoln	-	-	-	-	—	—	—
	North and East Ridings of Yorkshire	-	-	-	-	24	9	33
	City of York	-	-	-	-	2	-	2
	West Riding of Yorkshire	-	-	-	-	91	41	131
						168	78	246*
In 1866 :								
For	Warwickshire	-	-	-	-	21	8	29
	Derbyshire	-	-	-	-	11	12	23
	Nottinghamshire	-	-	-	-	8	5	13
	Town of Nottingham	-	-	-	-	6	2	8
	Lincolnshire	-	-	-	-	15	8	23
	City of Lincoln	-	-	-	-	—	—	—
	North and East Ridings of Yorkshire	-	-	-	-	29	15	44
	City of York	-	-	-	-	—	—	—
	West Riding of Yorkshire	-	-	-	-	86	35	121
						176	85	261†

* The Total Number of Juries actually sworn in respect of these 246 Causes was 189. No jurors were fined for non-attendance.

† The Total Number of Juries actually sworn in respect of these 261 Causes was 216. No juror was fined for non-attendance

The business of the Midland Circuit increased rapidly. The Causes entered for the year 1867 amounted to 349.

Spencer M. Cox, Associate,
Midland Circuit.

NORFOLK CIRCUIT.

In 1865 there were on the Norfolk Circuit 74 Causes, of which 42 were Common Jury Causes, and 32 Special Jury Causes, in all of which, except eight, juries were sworn.

In 1866 there were 98 Causes on the Norfolk Circuit, of which 63 were Common Jury Causes, and 35 Special Jury Causes, in all of which, except 12, juries were sworn.

In the above years no jurors were fined on the Norfolk Circuit for non-attendance.

Charles Platt,
Ipswich, 15 August 1867. Clerk of Assize.

NORTHERN CIRCUIT.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Assizes in the Northern Circuit, distinguishing the Special from the Common Jury Causes; also the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years mentioned.

Town and County for which Assizes held.	Number of Causes for which Juries were Summoned and Sworn.	Number of Special Jury Causes.	Number of Common Jury Causes.
1865:			
Spring:			
Northumberland - - - - -	5	- -	5
Town and county of Newcastle-upon-Tyne - -	7	- -	7
Cumberland - - - - -	5	- -	5
Westmorland - - - - -	none.		
Summer:			
Northumberland - - - - -	2	- -	2
Town and county of Newcastle-upon-Tyne - -	4	1	3
Cumberland - - - - -	6	2	4
Westmorland - - - - -	none.		
1866:			
Spring:			
Northumberland - - - - -	3	1	2
Town and county of Newcastle-upon-Tyne - -	7	2	5
Cumberland - - - - -	2	1	1
Westmorland - - - - -	none.		
Summer:			
Northumberland - - - - -	7	- -	7
Town and county of Newcastle-upon-Tyne - -	2	1	1
Cumberland - - - - -	8	5	3
Westmorland - - - - -	none.		

N.B.—No person summoned as a juror was fined for non-attendance during the years mentioned.

John Holtby,
Deputy Clerk of Assize, Northern Circuit.

OXFORD CIRCUIT.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Assizes holden for the OXFORD CIRCUIT, distinguishing the Special from the Common Jury Causes; also the Number of Persons summoned on each Special and Common Jury who were Fined for Non-attendance during the Years mentioned.

YEARS.	Number of Causes for the Trial of which Juries were Summoned.		Number of Causes in which Juries were Sworn.		Number of Jurors who were Fined for Non-attendance.
	Special.	Common.	Special	Common.	
1865 - - - -	52	103	42	84	none.
1866 - - - -	66	115	40	101	none.
	118	218	82	185	—

E. A. Wilde,
Clerk of Assize.

WESTERN CIRCUIT (INCLUDING BRISTOL).

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866; and of the Number of Jurymen Fined for Non-attendance.

YEARS.	Number of Causes.		Number of Jurymen Fined.	
	Special.	Common.	Special.	Common.
1865 - - - - -	33	93	none	none.
1866 - - - - -	56	101	none	none.

Thomas Chambre,
Deputy Clerk of Assize.

NORTH WALES AND CHESTER CIRCUIT.

RETURN of CAUSES for Trial of which JURIES were Summoned and Sworn, and of Jurors Fined for Non-attendance, on the NORTH WALES and CHESTER CIRCUIT, in the Years 1865 and 1866.

Counties on the North Wales and Chester Circuit.		Causes for Trial of which Juries were Summoned and Sworn.						Jurors Fined for Non-attendance.
		1865.		1866.		Total Special Juries in the Two Years.	Total Common Juries in the Two Years.	
		Special Juries.	Common Juries.	Special Juries.	Common Juries.			
Montgomery	-	1	1	-	1	1	2	One juror fined at New- town summer assizes, 1865, for being absent at adjourn- ment.
Merioneth	-	-	-	1	1	1	1	
Carnarvon	-	1	5	-	5	1	10	
Anglesey	-	-	1	1	2	1	3	
Denbigh	-	1	3	1	-	2	3	
Flint	-	1	-	-	2	1	2	
Chester	-	8	17	11	20	19	37	
		12	27	14	31	26	58	

Henry Crompton, Clerk of Assize.

SOUTH WALES.

RETURN of the Number of CAUSES for the Trial of which JURIES were Summoned and Sworn, in the Years 1865 and 1866, at the Assizes throughout SOUTH WALES; also the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years mentioned.

	COMMON JURY CAUSES.			SPECIAL JURY CAUSES.		
	Number for which Summoned.*	Number for which Sworn.	Number of Jurors Fined.	Number for which Summoned.	Number for which Sworn.	Number of Jurors Fined.
1865 -	20	11	- -	20	13	-
1866 -	35	31	- -	28	17	14

* Note.—The number for which jurors are summoned does not lie within the knowledge, or the means of knowledge, possessed by the associate or clerk of assize on circuit; possibly the under-sheriff of each county may be able to supply such information; this column represents the nearest approach to it which it lies in my power to furnish, that is, the number of causes entered for trial.

Henry Halford Vaughan, Associate.

JURIES.

RETURN of the Number of Causes for the Trial of which Juries were Summoned and Sworn, in the Years 1865 and 1866, at the Sittings of the Superior Law Courts at *Westminster* and *London*, and at the Assizes throughout *England* and *Wales*, distinguishing the Special from the Common Jury Causes; also, the Number of Persons Summoned on each Special and Common Jury who were Fined for Non-attendance during the Years mentioned.

(*Mr. Lush.*)

Ordered, by The House of Commons, to be Printed,
14 February 1868.

60.

Under 1 oz.

LOCAL COURTS OF CIVIL JURISDICTION.

RETURN to an Address of the Honourable The House of Commons,
dated 20 April 1868 ;—for,

“ RETURN from all LOCAL COURTS of CIVIL JURISDICTION (not being County Courts), showing (1.) The Amount of FEES received; (2.) The PERSONS to whom or Purposes for which the Balance of FEES, after payment of Salaries and Expenses chargeable thereon, has been paid during the last Four Years.”

NAME OF COURT.	Amount of Fees received in 1864, 1865, 1866, and 1867.	Person to whom Paid.	REMARKS.
Amounderness :	£. s. d.		
Wapentake Court - -	15 18 6 17 13 - 24 16 - 27 1 6	Deputy Stewards -	Balance retained after pay- ment of expenses.
Blackburn :			
Court Baron - - -	58 10 - 38 - - 38 - - 34 - - — 2 4 - - 6 - - 12 - - 14 -	Steward - - - Bailiffs - - - Crier.	Disbursements for the four years, 6 l. 10 s. No account received.
Bradford :			
Manor Court - - -	180 - - 160 - - 130 - - 150 - -	Judge - - -	Payable without any charge thereon.
Bristol :			
Tolzey Court - - -	275 4 11 267 11 2 318 6 9 264 4 -	Registrar.	
Colchester :			
Borough Court - -	19 15 -	Registrar.	
Derby :			
Court of Record - -	571 - -	Registrar.	
Exeter :			
Provost Court - - -	29 - - 21 12 11 33 3 4 46 3 4	Officers of the Court	The officers of the Court have no other remuneration for the duties discharged by them.
Ipswich :			
Court of Small Pleas -	3 16 - 4 17 6 1 4 6 1 5 -	Registrar.	
Liverpool :			
Passage Court - - -	1,596 - - 1,609 - - 1,823 - - 1,798 - -	- - -	Balance, after payment of salaries and expenses, forms part of the common fund of the borough.

NAME OF COURT.	Amount of Fees received in 1864, 1865, 1866, and 1867.	Person to whom Paid.	REMARKS.
London, City of:	£. s. d.		
Lord Mayor's Court -	3,956 - - 3,855 - - 4,446 - - 5,362 - -	- - -	Balance, after payment of salaries and expenses, paid into the general funds of the Corporation of the City of London.
Manchester:			
Court of Record - -	1,736 8 2 1,732 7 7 1,915 - - 2,094 9 9	- - -	Balance, after payment of salaries and expenses, paid into the general fund for the City of Manchester.
Newark:			
Court of Record - -	7 14 8 6 19 4 3 3 10 6 1 -	Registrar.	
Northampton:			
Court of Record - -	94 6 10 98 12 3 99 12 - 83 19 10 71 2 6 70 16 6 87 10 10 79 18 -	Registrar. Bailiff.	
Norwich:			
Guildhall Court - -	400 - -	Registrar.	
Oswestry:			
Court of Record - -	7 14 4	Registrar - -	After payment of Bailiffs.
Oxford:			
Mayor's Court (1867) -	19 - -	Borough Fund.	
Oxford University:			
Chancellor's Court -	40 - - 46 8 6 81 10 6 60 17 -	Registrar and Man- datory.	Divided in the proportion of five to three-eighths.
Peterborough:			
Court of Common Pleas -	22 - - 22 - - 16 - - 32 - - 6 - - 7 - - 5 - - 8 - -	Steward - - Bailiff.	No salaries or expenses payable to anyone.
Preston:			
Court of Pleas - -	306 - -	Registrar - -	After payment of expenses.
Ramsey, Liberty of:			
Court of Pleas - -	25 - - 27 - - 48 - - 33 - -	Steward and his Bailiff.	
Salford, Hundred of:			
Court of Record - -	4,505 7 8	High Steward of the Hundred, Judge, and Registrar.	Balance, after payment of salaries and expenses, is divided into three equal parts, two thereof being paid in equal moieties to the Judge and Registrar in lieu of salaries, and the remaining one-third to the High Steward, pursuant to the Salford Hundred Court of Record Act, 8 & 9 Vict. c. 126.

NAME OF COURT.	Amount of Fees received in 1864, 1865, 1866, and 1867.	Person to whom Paid.	REMARKS.
St. Bees Manor:	£. s. d.		
Court Baron - - -	22 17 - 31 6 2 34 9 4 53 16 2	Steward - -	The officers of the Court wholly paid by fees.
	9 15 6 13 15 - 14 17 - 22 3 -	Bailiffs.	
	1 8 - 1 17 - 2 4 - 3 11 -	Juries.	
Stannaries:	Cornwall:		
Court of the Vice Warden	933 5 - 984 3 5 1,293 11 4 1,739 2 9	- - -	
	Devon:		
	96 10 3 72 5 2 84 18 6 41 16 -		
	Cornwall:		
	130 11 - 171 17 4 195 2 6 88 9 10	- - -	
	Devon:		
	2 13 - 8 8 10 18 4 - 9 17 -		
			Winding-up fees received under the Companies Act, 1862. The balance, after payment of salaries and expenses, has been invested in Government Securities, pursuant to 25 & 26 Vict. c. 89.
			Fees in suits on the Equity and Common Law sides of the Court.—Cornwall: one- third of these fees has been paid to the Receiver Gene- ral of the Duchy of Corn- wall, pursuant to 6 & 7 Will. 4, c. 106, 2 & 3 Vict. c. 58, and 18 Vict. c. 32, towards payment of the other moiety of the said salaries. — Cornwall and Devon: after payment of salaries and expenses, there has been no balance.

From the following Courts no Returns have been received. Egremont: Court Baron.—Kingston-upon-Hull: Court of Record.—Newcastle-upon-Tyne: Burgess and Non-Burgess Courts.—Southwark: Court of Record.

LOCAL COURTS OF CIVIL JURISDICTION.

RETURN from all LOCAL COURTS of CIVIL JURISDICTION (not being County Courts), showing (1.) The Amount of FEES received; (2.) The PERSONS to whom or Purposes for which the Balance of FEES, after payment of Salaries and Expenses chargeable thereon, has been paid during the last Four Years.

(*Mr. Gorst.*)

Ordered, by The House of Commons, to be Printed,
29 May 1868.

LOCAL COURTS OF CIVIL JURISDICTION.

FURTHER RETURN to an Address of the Honourable The House of Commons,
dated 20 April 1868;—*for*,

“ RETURN from all LOCAL COURTS of CIVIL JURISDICTION (not being County Courts), showing (1.) The Amount of FEES received; (2.) The PERSONS to whom or Purposes for which the Balance of FEES, after payment of Salaries and Expenses chargeable thereon, has been paid during the last Four Years.”

NAME OF COURT.	Amount of Fees received in 1864, 1865, 1866, and 1867.	Person to whom Paid.	REMARKS.
Kingston-upon-Hull: Court of Record - -	£. s. d. 662 10 11*	Registrar - -	* Out of which the Registrar has paid 17 <i>l.</i> 5 <i>s.</i> 10 <i>d.</i> to the officer of the Court for venire fees and reductions to suitors, leaving a balance of 645 <i>l.</i> 13 <i>s.</i> 1 <i>d.</i> payable to him as Registrar.
London: City of London Court (formerly Sheriffs' Court)	5,003 4 3 4,637 10 8 4,924 18 3 5,400 17 8	Registrar - -	The balance of fees remains in the hands of the Chamberlain, the treasurer of the Court.
Southwark: Court of Record - -	5 5 8 6 13 2 7 11 - 4 10 10 2 - - 2 4 - 2 7 - 1 14 6 1 10 4 1 8 - 1 5 8 1 8 4 - 1 - - 1 4 - 6 6 - 1 -	Court Fees - - Steward. Bailiff. Officer.	The Court fees are the total fees taken, and the prothonotary pays thereout the amounts placed to the steward, bailiff, and officer. The steward, prothonotary, and bailiff also receive salaries from the Corporation of London.

LOCAL COURTS OF CIVIL JURISDICTION.

FURTHER RETURN.

RETURN from all Local Courts of Civil Jurisdiction (not being County Courts), showing (1.) The Amount of Fees received; (2.) The Persons to whom or Purposes for which the Balance of Fees, after payment of Salaries and Expenses chargeable thereon, has been paid during the last Four Years.

(*Mr. Gorst.*)

*Ordered, by The House of Commons, to be Printed,
31 July 1868.*

OFFICIAL LIQUIDATORS.

RETURN to an Address of the Honourable The House of Commons,
dated 12 July 1867;—for,

“RETURN of all APPOINTMENTS made by the MASTER of the ROLLS and the several VICE CHANCELLORS in ENGLAND under the COMPANIES ACT, 1862, of PROVISIONAL OFFICIAL LIQUIDATORS and OFFICIAL LIQUIDATORS, with the Names of the Companies and the Liquidators, and the Dates of the several Appointments (in continuation of Parliamentary Paper, No. 386, of Session 1866).”

MASTER OF THE ROLLS.

RETURN of APPOINTMENTS made by the MASTER of the ROLLS, under “THE COMPANIES ACT, 1862,” of PROVISIONAL OFFICIAL LIQUIDATORS and OFFICIAL LIQUIDATORS, with the Names of the Companies and the Liquidators, and the Dates of the several Appointments (in continuation of Parliamentary Paper, No. 386, of Session 1866).

NAME OF COMPANY.	Date of Appointment of Provisional Official Liquidator or Official Liquidator.	Name of Provisional Official Liquidator or Official Liquidator.	REMARKS.
Aldbrough Hotel Company (Limited)	24 April 1867	Mr. Charles Fitch Kemp, Walbrook.	Official Liquidator.
Anglo-Danubian Steam Navigation and Colliery Company (Limited).	21 June „	Mr. William Quilter, Moorgate-street.	- - ditto.
Argoed Colliery Company (Limited) -	4 Oct. 1866	Mr. James Rogers, The Friars, Chester.	- - ditto.
Balmgate Silk and Yarn Works (Limited).	26 Feb. 1867	Mr. Jonas Dearnley Taylor, Halifax, Yorkshire.	- - ditto.
Bersham Paper Company (Limited) -	13 Dec. 1866	Mr. William Westcott, 35, Coleman-street, E.C.	- - ditto.
Birmingham Banking Company -	27 July „	Mr. William Henry McCreight, Raymond Buildings, Gray's Inn, and Mr. William Laundry, Birmingham.	- - ditto.
Blakeley Ordnance Company (Limited) {	28 June „	Mr. John Healy, 43, Bedford-row.	Provisional Liquidator.
	6 Aug. „	Mr. William Hopkins Holyland, 13 Gresham-street, E.C.	Official Liquidator.
Breech Loading Armoury Company (Limited).	4 Aug. „	Mr. Edward Hart, 5 Moorgate-street, E.C.	- - ditto.
Bridport Old Brewery Company (Limited).	6 Feb. 1867	Mr. Samuel Lowell Price, 13, Gresham-street, E.C.	- - ditto.
British and South American Steam Navigation Company (Limited).	20 July 1866	Mr. Harwood Walcott Banner, Liverpool, and Mr. J. Young, Tokenhouse-yard.	- - ditto.
British Union Assurance Company (Limited).	28 April „	Mr. James Francis Quartly	- - ditto.
Cachar Company (Limited) - -	Official Liquidator not yet appointed.		
Charles Laffitte & Co. (Limited) - {	9 Nov. 1866	Mr. James Boatwright Gibbons, 8 Old Jewry, E.C.	Provisional Liquidator.
	15 Nov. „	- Same - - - -	Official Liquidator.

RETURN of Appointments made by the Master of the Rolls—*continued.*

NAME OF COMPANY.	Date of Appointment of Provisional Official Liquidator or Official Liquidator.	Name of Provisional Official Liquidator or Official Liquidator.	REMARKS.
Company of Proprietors of the Basingstoke Canal Navigation.	17 July 1866	Mr. Frederick Whinney, 8, Old Jewry, E.C.	Official Liquidator.
Continental Bank Corporation - -	20 July „	Mr. Charles Fitch Kemp, Walbrook.	- - ditto.
[This Company has been transferred to the Vice Chancellor Stuart by an Order of the Lord Chancellor, dated 11th July 1867.]			
Eastern Assam Company (Limited) -	21 Dec. 1866	Mr. Frederick Whinney, 8, Old Jewry, E.C.	Provisional Liquidator.
Estates Investment Company (Limited)	31 Jan. 1867	- Same - - - -	Official Liquidator.
	18 April „	Mr. Samuel Lowell Price, 13 Gresham-street.	- - ditto.
Falmouth Hotel Company (Limited) -	Official Liquidator not yet appointed.		
Freehold Land and Brick Making Company (Limited).	14 Nov. 1866	Mr. George Scott, 2 Bond-court, Walbrook.	- - ditto.
Frederick Symons & Co. (Limited) -	15 Dec. „	Mr. James Boatwright Gibbons and Mr. Edward Bishop.	Official Liquidators.
Fresh Provision Preserving Company (Limited).	30 June „	Mr. Frederick Jennings and Mr. George, Carrick-street.	- - ditto.
Friend-in-Need Life, Fire, Guarantee and Accidental Assurance Company	29 April 1867	Mr. Henry Threlkeld Edwards, 9 King's Arms-yard, Coleman-street.	Official Liquidator.
[This Company has been transferred to the Vice Chancellor Stuart by an Order of the Lord Chancellor, dated 5th June 1867.]			
Gale's Protected Gunpowder Company (Limited).	20 Mar. 1867	Hon. H. W. Petre and Charles F. Kemp.	Official Liquidators.
General Exchange Bank (Limited) -	26 July 1866	James Cooper - - - -	Official Liquidator.
Greenwich Tannery Company (Limited)	15 June „	H. T. Edmunds - - - -	- - ditto.
Hafod Hotel Company (Limited) -	13 Feb. 1867	Mr. Robertson - - - -	- - ditto.
Hafody Wern Slate Company (Limited)	22 July „	Mr. Butler - - - -	- - ditto.
Harehope Gill Lead Mining Company (Limited).	7 Feb. „	Frederick Maynard - - - -	- - ditto.
Heyford Company (Limited) - -	21 Jan. „	Mr. H. W. McCreight - - - -	- - ditto.
Kumaon and Oude Plantation Company (Limited).	18 July 1866	Mr. Lovelock - - - -	- - ditto.
Lavender's Patent Lubricating and Compound Oil Company (Limited).	29 Mar. 1867	James Holah - - - -	- - ditto.
Leeds Woollen Extract and Spinning Company (Limited).	27 July 1866	Mr. Price - - - -	- - ditto.
Leeswood Iron Company (Limited) -	3 Dec. „	J. Ledward - - - -	- - ditto.
Llantrissant Iron and Coal Company (Limited).	13 June 1867	Mr. Pullein - - - -	- - ditto.
London and Sheffield Nickel Silver Company (Limited).	1 Dec. 1866	J. F. Lovering - - - -	- - ditto.
Marlborough Club Company (Limited)	21 Nov. „	F. Parker - - - -	- - ditto.
Masons' Hall Tavern Company (Limited).	11 June 1867	Mr. Evans - - - -	- - ditto.
Matlock Consumers' Gas Light and Coke Company (Limited)	19 June „	H. Chatteris - - - -	- - ditto.
Merchants' Company (Limited) - -	5 Dec. 1866	Mr. A. Cape - - - -	- - ditto.
Mersey River Steamboat Company (Limited).	31 May 1867	J. S. Blease - - - -	- - ditto.
Moore, McQueen and Company (Limited).	23 June 1866	Mr. Price - - - -	- - ditto.

RETURN of Appointments made by the Master of the Rolls—*continued.*

NAME OF COMPANY.	Date of Appointment of Provisional Official Liquidator or Official Liquidator.	Name of Provisional Official Liquidator or Official Liquidator.	REMARKS.
Natal Investment Company (Limited)	18 July 1867	Mr. Englebach - - -	Official Liquidator.
National Permanent Benefit Building Society	24 July „	Mr. Barrow - - -	- ditto.
National Savings Bank Association (Limited).	3 Aug. 1866	Mr. Barrow - - -	- - ditto.
Nant Coal Company (Limited) - -	9 May 1867	Mr. Scott and Mr. Harrison -	Official Liquidators.
New Clydach Sheet and Bar Iron Company (Limited).	28 Feb. „	J. Ball - - -	Official Liquidator.
Now Gong Tea Company of Assam (Limited).	14 Jan. „	Mr. Price - - -	- - ditto.
Oallwyn Iron and Coal Company (Limited).	9 Jan. „	Mr. T. A. Martin - - -	- - ditto.
Railway Finance Company (Limited)	5 July 1866	S. L. Price - - -	- - ditto.
Ramsgate Victoria Hotel Company (Limited).	30 July „	Mr. S. Lovelock - - -	- - ditto.
Rhos Hall Iron Company (Limited) -	14 Nov. „	Mr. George Scott - - -	- - ditto.
Simpson's Cattle Spice Company (Limited).	17 Nov. „	Mr. F. Whinney - - -	- - ditto.
Stowe Iron Ore Company (Limited) -	4 Mar. 1867	Mr. J. W. Ford - - -	- - ditto.
Strand Hotel Company (Limited) -	11 July 1866	Mr. George Scott - - -	- - ditto.
Tavistock Iron Works and Steel Ordnance Company (Limited).	14 Dec. „	Mr. H. T. Edwards - - -	- - ditto.
Universal and Equitable Permanent Benefit Building Society.	15 April 1867	Mr. C. W. Matthews - - -	- - ditto.
Wellington Tube Works (Limited) -	18 July 1866	Mr. J. B. Gibbons - - -	- - ditto.
West Midland Brewery and Malting Company (Limited).	6 Dec. „	Mr. T. D. Baker - - -	- - ditto.
Worthing Laundry Land and Building Company (Limited).	17 Dec. „	Mr. J. J. Kent - - -	- - ditto.

To the Right Honourable the Master of the Rolls.

In pursuance of your Lordship's directions we have prepared the above Returns from materials in your Lordship's Chambers, and hereby certify that they are correct.

Master of the Rolls Chambers,
29 July 1867.

E. B. Church,
John Wm. Hawkins, } Chief Clerks.
Robert Marshall,

VICE CHANCELLOR MALINS.

RETURN of APPOINTMENTS in the Chambers of Vice Chancellor Sir *Richard Malins*, under "THE COMPANIES ACT, 1862," of PROVISIONAL OFFICIAL LIQUIDATORS and OFFICIAL LIQUIDATORS, with the Names of the Companies and Liquidators, and Dates of the several Appointments (in continuation of Parliamentary Paper, No. 386, of Session 1866).

Name of Company.	Name of Provisional Liquidator.	Name of Official Liquidator.	Date of Appointment.	Remarks.
Hampstead Brewery Company (Limited) - - - - -	Edward Moore -	- - - - -	5 Nov. 1866.	An order subsequently made for voluntary winding up under supervision.
Artificial Leather Company (Limited).	George Augustus Cape.	Edward Moore -	19 Dec. "	
Hot Air Engine Company (Limited).	- - - - -	- - - - -	15 May 1867.	
	- - - - -	Henry Threlkeld Edwards.	5 Aug. "	
Samuel Bastow & Co. (Limited) {	Edward Addis -	- - - - -	4 July "	An order subsequently made for voluntary winding up under supervision.
Hudikwall Steam Sawing Mill Company (Limited).	- - - - -	Edward Addis -	30 Oct. "	
East India Cotton Agency -	- - - - -	John Charles William Ritter.	5 July "	
Oriental Inland Steam Company - - - - -	- - - - -	George T. Hart -	30 Aug. "	
<i>In re</i> Slate Mountain Company	James Charles Bolton and Robert Wilson. }	- - - - -	13 Aug. "	
<i>In re</i> Warren's Blacking Company.	- - - - -	George Scott -	18 July 1866.	
<i>In re</i> London and Colonial Export Oil and Provision Company.	- - - - -	G. E. Olive -	22 Dec. "	
<i>In re</i> Wey & Arun Canal Company.	- - - - -	Edward Hart -	12 Jan. 1867	
<i>In re</i> Peruvian Railways Company.	- - - - -	W. H. Smallpiece -	11 April "	
<i>In re</i> North Atlantic Telegraph Company.	- - - - -	John Young -	28 May "	
<i>In re</i> Whitehall Engineering Company.	- - - - -	William Cooper -	27 June "	
<i>In re</i> Marseilles Extension Railways and Land Company.	- - - - -	Benjamin Bailey -	24 June "	
<i>In re</i> Land-Shipping Colliery Company.	Henry Chatteris -	- - - - -	16 Feb. "	
<i>In re</i> North Wales Coal and Iron Company.	Charles Chatteris -	- - - - -	8 Aug. "	
<i>In re</i> East Pant Colliery Company.	Joseph Milsome and W. H. Williams.	- - - - -	20 Sept. "	(V. C. Woods.)
<i>In re</i> International Hotel Company.	George Haswell -	- - - - -	28 Sept. "	
<i>In re</i> Royal Bank of Liverpool	Albert Gearing and Robert Wilson.	- - - - -	8 Oct. "	
<i>In re</i> Plas yu Mhowys Coal, &c., Company - - - - -	A. W. Banner -	- - - - -	25 Oct. "	
	J. F. Lovering -	- - - - -	17 June "	
	- - - - -	John Ormiston -	3 Sept. "	

COMPANIES in VOLUNTARY LIQUIDATION under the Supervision of the Court.

Name of Company.	Name of Liquidator.
Coffee, Cocoa, Cotton, and General Produce Freehold Estates Company of Venezuela (Limited).	Edward Addis.
Dartford Creek Paper Mill Company (Limited) -	Frederick Maynard.
Artificial Leather Company - - - - -	Frederick Bertram Smart and Dr. Edward Bishop.
Gellivara Company (Limited) - - - - -	Hugh Colin Smith, William Kenrick Gladstone, and James Cooper.
Regent's Canal Iron Works Company - - - - -	John Young and E. S. Judkins.
Marseilles Extension Railway and Land Company -	Thomas Reginald Kemp, M. Astley, and James Cooper.

Frederick E. Edwards, } Chief Clerks.
J. A. Bentley,

VICE CHANCELLOR STUART.

RETURN of APPOINTMENTS made by the Vice Chancellor, Sir *John Stuart*, at Chambers, under "THE COMPANIES ACT, 1862," of PROVISIONAL OFFICIAL LIQUIDATORS and OFFICIAL LIQUIDATORS (in continuation of Parliamentary Paper, No. 386, of Session 1866).

Names of the Companies.	Names of the Liquidators.	Dates of Appointments.
Accidental and Marine Insurance Corporation (Limited).	George Whiffen, Provisional Official Liquidator; Alexander Macpherson Campbell, Official Liquidator, jointly with George Whiffen, William Edmonds, H. J. Spencer, and C. Walford, the other Official Liquidators appointed by the Company.	16 Oct. 1866. 24 Nov. 1866.
Asiatic Banking Corporation (Limited)	W. Turquand and F. W. Lawrence, Provisional and Official Liquidators.	Provisional Liquidators, 9 Oct. 1866. Official Liquidators, 15 Nov. 1866.
Colonial and General Gas Company (Limited).	Charles Pryse and James Thomas Suell, Official Liquidators.	17 Dec. 1866.
Empire Assurance Corporation (Limited)	A. A. James, Official Liquidator -	30 May 1867.
Finance Company (Limited) - -	G. Scott, Official Liquidator - -	4 Dec. 1866.
*Friend in Need Life, Fire, Guarantee, and Accidental Assurance Company (Limited).	H. T. Edwards, Official Liquidator -	24 April 1867.
Gelynog Llantwit Colliery Company (Limited).	Henry Strong and Alfred Parker (Official).	10 Aug. 1866.
General Trading Company (Limited) -	Hubert George Grist (Provisional) -	3 Nov. 1866.
Granite and Hard Stone Working Company (Limited).	Richard Davis (Official) - - -	25 Jan. 1867.
Hindustan, China, and Japan Bank (Limited).	Arthur Cooper, Frederick Maynard, and David Chadwick (Provisional).	14 Nov. 1866.
International Contract Company (Limited).	William Tabor and Alfred Augustus James (Official).	24 July 1867.
Lawton Iron and Steel Company (Limited).	John Perceval (Official) - - -	16 Oct. 1866.
London and County General Agency Association (Limited).	George Scott (Official) - - -	15 July 1867.
Marine Estates Company (Limited) -	James Waddell (Additional Liquidator)	6 June 1867.
Marlborough Club Company (Limited)	Frederick Parker (Official) - -	12 Oct. 1866.

* This appointment was made by the Master of the Rolls, but as this matter has been transferred to the Vice Chancellor it is included here, as it will not probably appear in the return made by the Master of the Rolls.

RETURN of Appointments made by Vice Chancellor Sir *John Stuart*--continued.

Names of the Companies.	Names of the Liquidators.	Dates of Appointments.
National Financial Company (Limited)	Samuel Lowell Rice (Official) - -	22 Nov. 1866.
Nantymwyn Mining Extension Company (Limited).	Samuel Crane Fox (Official) - -	12 July 1866.
The Marlborough Club Company (Limited).	Frederick Parker, Accountant, Provisional Official Liquidator.	12 Oct. 1866.
The Padeswood Oil Company (Limited)	William Temple, Secretary of the Company, Official Liquidator.	13 Mar. 1867.
The Patent File Company (Limited) -	Henry Wright, Manager of the Company, and Henry Howell, Accountant, Provisional Official Liquidators.	11 Oct. 1866.
Same Company - - - - -	Joseph Slocombe, additional Liquidator, to act with the Liquidators appointed by the Company.	13 Feb. 1867.
The Plym River Slab and Slate Company (Limited).	Thomas Partington, Scrivener, Accountant, Provisional Official Liquidator.	5 July 1866.
Same Company - - - - -	Thomas Partington, Official Liquidator	1 Aug. 1866.
The Randolph Hotel Company, Oxford (Limited).	Joseph John Saffery, Accountant, Provisional Official Liquidator.	30 Aug. 1866.
The Spitalfields Silk Manufacturing Company (Limited).	Frederick Bertram Smart, Accountant, Official Liquidator.	16 Nov. 1866.
The Universal Banking Corporation (Limited).	Frederick Bertram Smart, Accountant, Official Liquidator.	6 July 1866.
The Wiltshire Iron Company (Limited)	Henry Threlkeld Edwards, Accountant, Official Liquidator.	29 Nov. 1866.

Alfred Hall,
Robert W. Peake, } Chief Clerks.

VICE CHANCELLOR WOOD.

RETURN of APPOINTMENTS made by the Vice Chancellor, Sir *William Page Wood*, under "THE COMPANIES ACT, 1862," of PROVISIONAL OFFICIAL LIQUIDATORS and OFFICIAL LIQUIDATORS, and the Names of the Companies and Liquidators, and the Dates of the several Appointments (in continuation of Return made 30th June 1866).

Name of Company.	Provisional Official Liquidator.	Official Liquidator.	Date of Appointment.
Inns of Court Hotel Company (Limited).	Charles Lee Nichols, Lawrence-lane, Accountant, and Henry Thomas Layborn Bewley, Lincoln's-inn Fields, Gentleman.	- - -	8 Feb. 1867.
Anglo-Danish and Baltic Steam Navigation Company (Limited).	- - -	Edward Hart, 57 Moorgate-street, Accountant.	13 Dec. 1866.
Imperial Land Credit Company (Limited).	- - -	Henry Suckling, Gresham-street, Accountant.	25 Feb. 1867.
Gartness Iron and Steel Works Company (Limited).	Herbert Harris Cannan, Walbrook, Accountant.	- - -	12 Feb. „
Same Company - - -	- - -	The said Herbert Harris Cannon.	27 April „
Haughton Hat Company, Denton (Limited).	- - -	Francis Wilkinson Popplewell, Manchester, Accountant.	29 April „
Tewkesbury Hosiery Company (Limited).	- - -	Samuel Hitch, of Southwick Park, Tewkesbury, M. D.	10 July 1866.
West Surrey Tanning Company (Limited).	- - -	George Scott, of 2 Bond-court, Walbrook, Accountant.	13 July „
Marine Mansions and General House Investment Company (Limited).	- - -	Frederick Bertram Smart, of 38 Gresham-street, City, Accountant.	21 July „
Ottoman Company (Limited) -	Henry Croysdill, of Old Jewry Chambers, Accountant.	- - -	9 July „
Same Company - - -	- - -	The said Henry Croysdill.	1 Aug. „
Oriental Commercial Bank (Limited).	Herbert Harris Cannan, of Walbrook, Accountant.	- - -	5 July „
Same Company - - -	- - -	Arthur Cooper, of George-street, Mansion House, Accountant.	4 Aug. „

RETURN of Appointments made by the Vice Chancellor Sir *W. P. Wood*—continued.

Name of Company.	Provisional Official Liquidator.	Official Liquidator.	Date of Appointment.
Richmond Hill Hotel Company (Limited).	- - -	George Augustus Cape, of 8 Old Jury, City, Accountant.	24 Nov. 1866.
Saloon Steam Packet Company (Limited).	- - -	William Turquand, of 16 Tokenhouse-yard, City, Accountant.	21 Nov. „
London and County Coal Company (Limited).	- - -	W. H. Holyland, of 13 Gresham-street East, Accountant.	21 Dec. „
London and Colonial Company (Limited).	Theodore Brooke Jones, of 8 Moor-gate-street, City, Accountant, and John Spong, of 18 Billiter-street, City, late Manager of the said Company.	- - -	16 Mar. 1867.
United Merthyr Collieries Company (Limited).	- - -	George Augustus Cape, of 8 Old Jewry Chambers, City, Accountant, and Robert Dixon, of 1 Bell-yard, Doctor's Commons, Solicitor.	28 Mar. „
London and Provincial Starch Company (Limited).	- - -	Alfred Augustus James, of 18, King-street, Cheapside, Accountant	22 June „
Palais d'Auteuil Company (Limited).	- - -	David Parry, of 11 Pancras-lane, City, Accountant.	23 July „
Lancashire Co-operative Building Company (Limited).	James May, of St. Helens, Accountant.	- - -	25 July „

Henry Leman,
Edward Blowam, } Chief Clerks.

OFFICIAL LIQUIDATORS.

RETURN of all APPOINTMENTS made by the
MASTER of the Rolls and the several VICE-
CHANCELLORS in *England* under the COMPANIES
ACT, 1862, of PROVISIONAL OFFICIAL LIQUIDA-
TORS and OFFICIAL LIQUIDATORS, with the Names
of the Companies and the Liquidators, and the
Dates of the several Appointments (in continua-
tion of Parliamentary Paper, No. 386, of Session
1866).

(*Mr. Philip Price.*)

*Ordered, by The House of Commons, to be Printed,
22 November 1867.*

STATUTES AT LARGE.

RETURN to an Address of the Honourable The House of Commons,
dated 14 May 1868;—for,

“COPY of a LETTER, dated the 6th day of May 1868, addressed to the Secretary of State for the Home Department by Sir *John George Shaw Lefevre*, Clerk of the Parliaments, on the Subject of PRINTING the STATUTES AT LARGE; and the REPLY thereto.”

Whitehall, }
15 May 1868. }

JAMES FERGUSSON.

Sir *J. G. Shaw Lefevre* to the Secretary of State for the Home Department.

Sir,

House of Lords, 6 May 1868.

It has been suggested to me by several persons, whose attention has been directed to the printing and promulgation of Acts of Parliament, that, as regards the volumes containing the Public Acts of each Session, they comprise many Acts which, although technically public, are entirely of a local character; and that if Acts of this nature were withdrawn from the volumes containing the general public legislation, these volumes would be considerably diminished in bulk, and be more convenient for use and for reference.

The suggestion specially applies to the Acts confirming Provisional Orders under the Local Government Act, the Land Drainage Act, the General Pier and Harbour Act, the Drainage and Improvement of Lands Act, Ireland, General Police and Improvement (Scotland) Act, and other Acts containing the like powers.

Before the passing of these Acts the legislation now effected by means of these Provisional Orders was carried on by local Acts, which did not form part of the volume of Public Acts, but were comprised in the volume appropriated to local Acts.

According to the present system they occupy a considerable part of the volume of Public Acts; so much so indeed that in the year 1866 they fill 218 pages out of 857 in the octavo volume, containing all the Public Acts, that is to say, more than a fourth part thereof.

As the local Acts have the force of Public Acts without any special clause to that effect, it would seem that there would be no anomaly in placing with these the Acts confirming Provisional Orders and numbering them in the local Act series, taking care to give a proper title to the local Act volume.

If it should from any cause appear objectionable to combine these Acts with the local Acts, they might form a separate series in a separate volume, and be distinguished by separate numbering.

As this subject involves not only the printing but the promulgation of Acts, of Parliament, which is under the immediate authority of the Secretary of State for the Home Department, I should not be justified in directing the printer to make any change in this matter without your full concurrence; but if upon consideration you should approve of this arrangement, I would proceed immediately to give effect to it.

It may hereafter be a matter of consideration whether other classes of Acts such as those styled in common parlance “Hybrid Acts,” may not be relegated to the volume of local Acts, but for the present I do not venture to offer any suggestion except as to Acts confirming Provisional Orders.

I have, &c.

(signed) *John George Shaw Lefevre*.

The Right Honourable Gathorne Hardy,
&c. &c. &c.

The Secretary of State for the Home Department to Sir *J. G. Shaw Lefevre*.

Sir,

12 May 1868.

YOUR proposal to print what may be called Public Local Acts separately from the public laws of the whole country meets my entire approval. It would not be without advantage to relegate Hybrid Acts to a volume apart from the Statutes of the Realm, though some have rather an extensive operation. It is obvious that in a general revision of the collection of Statutes such Acts would be removed from their present position, with a view of notifying the intention to change the existing method of printing the Statutes at Large; I think it will be best to move that your letter and my reply to it be printed and laid upon the table of each House of Parliament.

I have, &c.

(signed) *Gathorne Hardy*.

Sir J. G. Shaw Lefevre, K.C.B.

STATUTES AT LARGE.

COPY of a LETTER, dated 6th May 1868, addressed to the Secretary of State for the Home Department by Sir *John George Shaw Lefevre*, Clerk of the Parliaments, on the Subject of PRINTING the STATUTES AT LARGE; and the Reply thereto.

(*Mr. Secretary Gathorne Hardy.*)

*Ordered, by The House of Commons, to be Printed,
18 May 1868.*

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R E G I S T E R

OF

TEMPORARY LAWS;

FOR THE

Third Session—XIXTH Parliament of the United Kingdom
of GREAT BRITAIN and IRELAND.

(31 & 32 VICTORIA, 1868.)

*(Presented pursuant to the Report of the Select Committee on Expiring Laws
in Session 1866.)*

D. LE MARCHANT,
Cl. Ho. Com.

*Ordered, by The House of Commons, to be Printed,
5 May 1868.*

L I S T.

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REGISTER OF TEMPORARY LAWS NOW IN FORCE.

Matter.	Date.	Ch.	When passed.	Title of the Act.	Duration.
1. BANK of ENGLAND INCORPORATION.	5, 6 W.&M. 20, § 20. 21. 8, 9 W. 3. 20, § 26. 27. N. B.—Clauses for continuing this Corporation in successive Loan Acts down to 19, 20 Vict. 21.	7 Nov. 1693. 5 June 1856.	For granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors ; for securing certain Recompences and Advantages, in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of £. 1,500,000. towards the carrying on the War against France. Bank continued as a Corporation - - - Note.—As to the Bank of England Privileges, see No. 5.	Till payment of Sums due to the Bank, and Redemption of all Bank Annuities created by Parliament.	
2. BANK of IRELAND.	Acts of the Parliament of Ireland. 21, 22 Geo. 3. 16. amended by 31 Geo. 3. 22. 37 Geo. 3. 50. Acts of the United Parliament. 48 Geo. 3. 103. 1, 2 Geo. 4. 72. 3 Geo. 4. 26. 7 Will. 4. } & 1 Vict. } 59. 1, 2 Vict. 81. 2, 3 Vict. 91. 3, 4 Vict. 75. 8, 9 Vict. 37.	1781. 21 July 1845.	For establishing a Bank, by the Name of The Governor and Company of the Bank of Ireland. Bank of Ireland continued as a Corporation, and may be dissolved,	After 1 January 1855, on Twelve Months' Notice, and repayment of Debt due from the Public to the Bank.	

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>	
7. CIVIL LIST.	1, 2 Vict. amended 1, 2 Vict. 15, 16 Vict.	2. 92. 39.	23 Dec. 1837.	For the Support of Her Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland - - - - -	6 Months after the Death of Her Majesty.	
8. OATHS, UNLAWFUL (Ireland).	2, 3 Vict. continued and amended 11, 12 Vict. continued 30, 31 Vict.	74. 89. 143.	24 Aug. 1839. 31 Aug. 1848. 20 Aug. 1867.	To extend and render more effectual an Act [4 Geo. 4, c. 87] to amend an Act [50 Geo. 3, c. 102] for preventing the administering and taking unlawful Oaths in Ireland.		
9. POOR RATES, STOCK IN TRADE EXEMPTION.	3, 4 Vict. continued 30, 31 Vict.	89. 143.	10 Aug. 1840. 20 Aug. 1867.	To exempt Inhabitants of Parishes, Townships, and Villages from liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor, until - - - -		
10. SURVEY of GREAT BRITAIN.	4, 5 Vict. amended and continued 19, 20 Vict. continued 30, 31 Vict.	30. 61. 143.	21 June 1841. 21 July 1856. 20 Aug. 1867.	To authorize and facilitate the Completion of a Survey of Great Britain, Berwick-upon-Tweed and the Isle of Man.		
11. HIGHWAY RATES. (E.)	4, 5 Vict. continued 28, 29 Vict.	59. 119.	22 June 1841. 5 July 1865.	To authorize the Application of a Portion of the Highway Rates to Turnpike Roads, in certain Cases.	1 October and END of then NEXT SESSION.	1870

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>
12. LUNATIC ASYLUMS (Ireland).	5, 6 Vict. continued 30, 31 Vict.	123. 143.	12 Aug. 1842. 20 Aug. 1867.	For amending the Law relating to Private Lunatic Asylums in Ireland.	1 August and END of then NEXT SESSION. 1868
13. COURTS MARTIAL (East Indies).	7, 8 Vict.	18.	6 June 1844.	To remove Doubts as to the Power of appointing, convening and confirming the Sentences of Courts Martial in the East Indies.	Continues, so far as regards Officers and Soldiers in Her Majesty's Service, during the continuance of any Act for punishing Mutiny and Desertion, &c.
14. LANDED PROPERTY IMPROVE- MENT (Ireland).	10 Vict. amended 13, 14 Vict. 25, 26 Vict. continued 30, 31 Vict.	32. 31. 29. 143.	8 June 1847. 20 Aug. 1867.	To facilitate the Improvement of Landed Property in Ireland. As to Powers of Commissioners - - -	1 January and END of then NEXT SESSION. 1868
15. POOR LAWS (Ireland).	10, 11 Vict. amended 14, 15 Vict. continued 30, 31 Vict.	90. 68. 143.	22 July 1847. 20 Aug. 1867.	To provide for the Execution of the Laws for Relief of the Poor in Ireland. As to appointment of Commissioners, &c. -	23 July and END of then NEXT SESSION. 1868
16. ECCLESIASTI- CAL JURIS- DICTION.	10, 11 Vict. continued 30, 31 Vict.	98. 143.	22 July 1847. 20 Aug. 1867.	To amend the Law as to Ecclesiastical Jurisdiction in England. As to certain Provisions - - -	1 August and END of then NEXT SESSION. 1868

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>
17. PRESERVA- TION OF THE PEACE (Ireland).	19, 20 Vict. amended 23, 24 Vict. 28, 29 Vict. continued 30, 31 Vict.	36. 138. 118. 143.	30 June 1856. 28 Aug. 1860. 5 July 1865. 20 Aug. 1867.	For the better Preservation of the Peace in Ireland.	1 July and END of then NEXT SESSION.
18. COUNTY CESS, IRELAND.	11, 12 Vict. amended 20, 21 Vict. continued 30, 31 Vict.	32. 7. 143.	22 July 1848. 3 July 1857. 20 Aug. 1867.	To facilitate the Collection of County Cess in Ireland.	1 August and END of then NEXT SESSION.
19. SHEEP AND CATTLE (Diseased).	11, 12 Vict. extended 16, 17 Vict. amended 29 Vict. 29 Vict. 29, 30 Vict. 30 Vict. continued and amended 30, 31 Vict.	107. 62. 2. 4.* 15. 110. 125.	4 Sept. 1848. 4 Aug. 1853. 20 Feb. 1866. 23 Mar. 1866. 10 Aug. 1866. 20 Aug. 1867.	To prevent the spreading of contagious or infectious Disorders among Sheep, Cattle and other Animals. * Applies to Ireland only.	20 August and END of then NEXT SESSION.
20. COPYHOLD INCLOSURE and TITHE COMMIS- SIONS.	14, 15 Vict. continued 30, 31 Vict.	53. 143.	1 Aug. 1851. 20 Aug. 1867.	To consolidate and continue the Copy- hold and Inclosure Commissions, and to provide for the Completion of Proceedings under the Tithe Com- mutation Acts. Temporary as to appointment of Commis- sioners, &c.	1 August and END of then NEXT SESSION.
21. EPISCOPAL and CAPITULAR ESTATES MANAGE- MENT.	14, 15 Vict. amended 17, 18 Vict. 22, 23 Vict. 23, 24 Vict. 28, 29 Vict. continued 30, 31 Vict.	104. 116. 46. 124. 119. 143.	8 Aug. 1851. 11 Aug. 1854. 5 July 1865. 20 Aug. 1867.	To facilitate the Management and Im- provement of Episcopal and Capitular Estates in England. <i>Note.</i> —This Act is applied by 21 & 22 Vict. c. 94 (s. 19), which is a permanent Act.	1 January and END of then NEXT SESSION.

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>	
22. CORRUPT PRACTICES PREVENTION ACT, 1854.	17, 18 Vict. partially repealed and remainder continued 26, 27 Vict.	102. 29.	10 Aug. 1854. 8 June 1863.	To consolidate and amend the Laws relating to Bribery, Treating and undue Influence at Elections of Members of Parliament.	8 June and END of the NEXT SESSION.	1868
23. INCUMBERED ESTATES (West Indies).	17, 18 Vict. amended 21, 22 Vict. 25, 26 Vict. 27, 28 Vict. continued 30, 31 Vict.	117. 96. 45. 108. 143.	11 Aug. 1854. 2 Aug. 1858. 17 July 1862. 29 July 1864. 20 Aug. 1867.	To facilitate the Sale and Transfer of Incumbered Estates in the West Indies. Temporary as to the offices, &c. of Commissioners - - - - -	2 August	1869
24. MUTINY ACT (Army).	31 Vict.	14.	April 1868.	For punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Continuance: In Great Britain - - - - - - - Ireland, Jersey, Guernsey, Alderney, Sark and Isle of Man - - - - Gibraltar, the Mediterranean, Spain and Portugal - - - - - - Elsewhere in Europe, and in the West Indies and America - - - - - Cape of Good Hope, Isle of France or Mauritius, St. Helena, and Settlements on the Western Coast of Africa, from the 1st January 1867 to the - - - - British Columbia and Van Couver's Island, from the date of the promulgation thereof in General Orders - - - - - - - Elsewhere - - - -	25 April 1 May 1 August 1 Sept. 1 January 1 January 1 February	1869 1870 1871

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>
25. MUTINY ACT (Marine Forces).	31 Vict.	15	3 April 1868.	For the Regulation of Her Majesty's Royal Marine Forces while on Shore. Continuance: In Great Britain - - - - - - - Ireland, Jersey, Guernsey, Alderney, Sark and Isle of Man - - - - Gibraltar, Spain and Portugal - - - - - Elsewhere in Europe, and the West Indies, North America, and Cape of Good Hope - - - - - Elsewhere - - - -	25 April 1 May 1 August 1 Sept. 1 February 1869 1870
26. DWELLINGS FOR LABOURING CLASSES (Ireland).	23, 24 Vict.	19.	15 May 1860.	To extend the Act to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in Ireland.	15 May and END of then NEXT SESSION. 1870
27. TURNPIKE ACTS. (G. B.)	30, 31 Vict.	121.	20 Aug. 1867.	To continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads. Acts in 1st Schedule repealed on and after - Acts in 2nd Schedule expired - - - Acts in 3rd Schedule - - - - As to certain other Acts - - - -	1 October 1 November 1 November and no longer. 1 November and END of then NEXT SESSION. 1867 1867 1868 1868
28. MILITIA BALLOTS SUSPENSION.	28, 29 Vict. continued 30, 31 Vict.	46. 143.	19 June 1865. 20 Aug. 1867.	To amend the Laws relating to the Ballots for the Militia in England, and to suspend the making of Lists and Ballots for the Militia of the United Kingdom.	1 October and END of then NEXT SESSION. 1868

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>
29. MILITIA PAY. (G. B. & I.)	30, 31 Vict.	92.	12 Aug. 1867.	To defray the Charge of the Pay, Clothing, and Contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances, in certain cases, to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers.	1 September 1868
30. SALMON FISHERY ACT, 1861.	24, 25 Vict. amended 28, 29 Vict. continued 30, 31 Vict.	109. 121. 143.	6 Aug. 1861. 5 July 1865. 20 Aug. 1867.	An Act to amend the Laws relating to Fisheries of Salmon in England. As to offices of Inspectors of Fisheries s. 31. As to offices of Special Commissioners for English Fisheries, ss. 47. 51.	1 October 1868 and END of then NEXT SESSION.
31. PROMISSORY NOTES.	26, 27 Vict. continued 30, 31 Vict.	105. 143.	28 July 1863. 20 Aug. 1867.	To remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum.	28 July 1868 and END of then NEXT SESSION.
32. SALMON FISHERY (IRELAND) ACT, 1863.	26, 27 Vict. continued 30, 31 Vict.	114. 143.	28 July 1863. 20 Aug. 1867.	An Act to amend the Laws relating to Fisheries in Ireland. As to the offices of the Special Commissioners for Irish Fisheries.	28 July 1868 and END of then NEXT SESSION.
33. ALKALI ACT, 1863.	26, 27 Vict.	124.	28 July 1863.	For the more effectual Condensation of Muriatic Acid Gas in Alkali Works.	1 July 1868

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>	
34. SALMON FISHERIES (SCOTLAND) ACT AMENDMENT.	25, 26 Vict. amended 26, 27 Vict. 27, 28 Vict. continued 29, 30 Vict.	97. 50. 118. 102.	2 Aug. 1862. 13 July 1863. 29 July 1864. 10 Aug. 1866.	To regulate and amend the Law respecting the Salmon Fisheries of Scotland. As to powers of Commissioners, &c.	1 January and END of then NEXT SESSION.	1868
35. MALT FOR ANIMALS.	27, 28 Vict.	9.	28 April 1864.	To allow the making of Malt Duty Free to be used in Feeding Animals.	28 April and END of then NEXT SESSION.	1869
36. PROMISSORY NOTES AND BILLS OF EXCHANGE (Ireland).	27, 28 Vict. continued 30, 31 Vict.	20. 143.	13 May 1864. 20 Aug. 1867.	To remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum in Ireland.	13 May and END of then NEXT SESSION.	1868
37. CHAIN CABLES AND ANCHORS.	27, 28 Vict.	27.	23 June 1864.	For regulating the Proving and Sale of Chain Cables and Anchors.	1 July	1872
38. PUBLIC SCHOOLS.	27, 28 Vict. continued 30, 31 Vict.	92. 143.	29 July 1864. 20 Aug. 1867.	For annexing Conditions to the Appointment of Persons to Offices in the Governing Bodies of certain Public Schools and Colleges.	1 August and END of then NEXT SESSION.	1868
39. MALT DUTY.	28, 29 Vict.	66.	29 June 1865.	To allow the Charging of Excise Duty on Malt according to the Weight of the Grain used.	29 June and END of then NEXT SESSION.	1869

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>	
40. WAR DEPARTMENT TRAMWAY (DEVON).	28, 29 Vict. continued 30, 31 Vict.	74. 143.	29 June 1865. 20 Aug. 1867.	To enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or Temporary Railway across certain Public Roads in the County of Devon.	29 June and END of then NEXT SESSION.	1870
41. LOCOMOTIVES ON ROADS.	28, 29 Vict. continued 30, 31 Vict.	83. 143.	5 July 1865. 20 Aug. 1867.	For further regulating the use of Locomotives on Turnpike and other Roads for Agricultural and other purposes.	1 September and END of then NEXT SESSION.	1868
42. HABEAS CORPUS SUSPENSION ACT (IRELAND).	29 Vict. amended 30, 31 Vict. continued 31, 32 Vict.	1. 25. 7.	17 Feb. 1866. 31 May 1867. 28 Feb. 1868.	To empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such Persons as he or they shall suspect of Conspiring against Her Majesty's Person and Government.	25 March	1869
43. PROSECUTION EXPENSES.	29, 30 Vict.	52.	23 July 1866.	To extend the Law relating to the Expenses of Prosecutions, and to make provision for Expenses on Charges of Felony and certain Misdemeanors before Examining Magistrates.	23 July and END of the then NEXT SESSION.	1869
44. EXTRADITION TREATIES ACT AMENDMENT.	29, 30 Vict. continued 30, 31 Vict.	121. 143.	10 Aug. 1866. 20 Aug. 1867.	For the Amendment of the Law relating to Treaties of Extradition.	1 September	1868
45. INDEMNITY (OFFICES).	30, 31 Vict.	88.	12 Aug. 1867.	To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those purposes respectively.	25 March and END of then SESSION.	1868

REGISTER OF TEMPORARY LAWS NOW IN FORCE.

<i>Matter.</i>	<i>Date.</i>	<i>Ch.</i>	<i>When passed.</i>	<i>Title of the Act.</i>	<i>Duration.</i>	
46. CHESTER COURTS.	30,31 Vict.	36.	15 July 1867.	To authorise the Quarter Sessions of the Peace for the Borough and City of Chester, and County of the same City, and the Portmote and Pentice Courts for the City of Chester, to be held at the Castle of Chester, and to confer additional Powers upon the Sheriff of the County of Chester, in exoneration of the Sheriff of the City of Chester. Temporary as to Sections 1, 2, and 3 -	15 July and END of the NEXT SESSION.	1872
47. MASTER AND SERVANT.	30,31 Vict.	141.	20 Aug. 1867.	To amend the Statute Law as between Master and Servant.	20 August and END of the then NEXT SESSION.	1868

INDEX OF TEMPORARY LAWS.

CLASS I.

TEMPORARY LAWS

THE DURATION OF WHICH IS CERTAIN, UNLESS SO FAR AS THEY DEPEND
ON THE SITTING OF PARLIAMENT.

ARRANGED IN ORDER OF THEIR DURATION.

The ACTS having this mark *, are continued to the Date set against them, and to the End of the then next Session.

The ACT having this mark †, is continued to the Date set against it, and to the End of the then Session.

<i>No.</i>	<i>Matter.</i>	<i>Date of last continuing Act.</i>	<i>Duration.</i>
33	Alkali Act (1863) - - - - -	26, 27 Vict. c. 124 -	1 July - - 1868
29	Militia Pay (G. B. & I.) - - - - -	30, 31 Vict. c. 92 -	1 September 1868
44	Extradition Treaties Act Amendment - -	30, 31 Vict. c. 143 -	1 September 1868
45	Indemnity - - - - -	30, 31 Vict. c. 88 -	25 March - 1868†
21	Episcopal and Capitular Estates Management	30, 31 Vict. c. 143 -	1 January - 1868*
14	Landed Property Improvement (Ireland) -	30, 31 Vict. c. 143 -	1 January - 1868*
34	Salmon Fisheries (Scotland) Act Amendment	29, 30 Vict. c. 102 -	1 January 1868*
36	Promissory Notes and Bills of Exchange (Ireland) - - - - -	30, 31 Vict. c. 143 -	13 May - - 1868*
22	Corrupt Practices Prevention Act (1854) -	26, 27 Vict. c. 95 -	8 June - - 1868*
17	Peace Preservation (Ireland) - - - - -	30, 31 Vict. c. 143 -	1 July - - 1868*
8	Oaths, Unlawful (Ireland) - - - - -	30, 31 Vict. c. 143 -	7 July - - 1868*
15	Poor Laws (Ireland) - - - - -	30, 31 Vict. c. 143 -	23 July - - 1868*
32	Salmon Fishery (Ireland), 1863 - - - - -	30, 31 Vict. c. 143 -	28 July - - 1868*
31	Promissory Notes - - - - -	30, 31 Vict. c. 143 -	28 July - - 1868*
12	Lunatic Asylums (Ireland) - - - - -	30, 31 Vict. c. 143 -	1 August - 1868*
38	Public Schools - - - - -	30, 31 Vict. c. 143 -	1 August - 1868*
18	County Cess (Ireland) - - - - -	30, 31 Vict. c. 143 -	1 August - 1868*
16	Ecclesiastical Jurisdiction - - - - -	30, 31 Vict. c. 143 -	1 August - 1868*
47	Master and Servant - - - - -	30, 31 Vict. c. 141 -	20 August - 1868*
19	Sheep and Cattle (Diseased) - - - - -	30, 31 Vict. c. 125 -	20 August - 1868*
41	Locomotives on Roads - - - - -	30, 31 Vict. c. 143 -	1 September 1868*
28	Militia Ballot Suspension - - - - -	30, 31 Vict. c. 143 -	1 October - 1868*
30	Salmon Fishery, 1861 - - - - -	30, 31 Vict. c. 143 -	1 October - 1868*
9	Poor Rates, Stock in Trade Exemption -	30, 31 Vict. c. 143 -	1 October - 1868*

CLASS I.—TEMPORARY LAWS THE DURATION OF WHICH IS CERTAIN, &c.—*continued.*

<i>No.</i>	<i>Matter.</i>	<i>Date of last continuing Act.</i>	<i>Duration.</i>
27	Turnpike Acts (G. B.) - - - -	30, 31 Vict. c. 121 -	1 October - 1867 1 November 1867 1 November 1868 1 November 1868*
42	Habeas Corpus Suspension (Ireland) - -	31 Vict. c. 7 - -	25 March - 1869
24	Mutiny - - - - -	30 Vict. c. 13 - -	25 April - - 1869
25	Mutiny (Marine Forces) - - - -	30 Vict. c. 14 - -	25 April - - 1869
23	Incumbered Estates (West Indies) - -	{ 17, 18 Vict. c. 117 - } { 30, 31 Vict. c. 143 - }	2 August - 1869
6	Linen, Hempen, &c. Manufactures (Ireland)	27, 28 Vict. c. 84 -	13 August - 1869
35	Malt for Animals - - - - -	27, 28 Vict. c. 9 -	28 April - - 1869*
39	Malt Duty - - - - -	28, 29 Vict. c. 66 -	29 June - - 1869*
43	Prosecution Expenses - - - - -	29, 30 Vict. c. 52 -	23 July - - 1869*
10	Survey of Great Britain - - - - -	30, 31 Vict. c. 143 -	31 December 1869*
11	Highway Rates (England) - - - - -	28, 29 Vict. c. 119 -	1 October - 1870
26	Dwellings for Labouring Classes (Ireland) -	23, 24 Vict. c. 19 -	15 May - - 1870*
40	War Department Tramway (Devon) - -	30, 31 Vict. c. 143 -	29 June - - 1870*
37	Chain Cables and Anchors - - - -	27, 28 Vict. c. 27 -	1 July - - 1872
46	Chester Courts - - - - -	30, 31 Vict. c. 36 -	15 July - - 1872*
20	Copyhold Inclosure and Tithe Commissions -	30, 31 Vict. c. 143 -	1 August - 1872*
3	Coal Trade (Port of London) - - - -	26, 27 Vict. c. 46 -	5 July - - 1882

N.B.—By 48 Geo. 3, c. 106, if a Bill is introduced for the continuance of any Act which would expire in the same Session, and such Act shall expire before the Bill for continuing the same receives the Royal Assent, the continuing Act takes effect from the expiration of the former Act, but not so as to affect any person with any penalty in the interval.

CLASS II.

TEMPORARY LAWS

THE DURATION OF WHICH IS UNCERTAIN.

ARRANGED IN ALPHABETICAL ORDER.

<i>No.</i>	<i>Name.</i>	<i>Date of last continuing Act.</i>	<i>Duration.</i>
1	Bank of England Incorporation.	19, 20 Vict. c. 21	- -- Till Payment of Sums due to the Bank, and Redemption of all Bank Annuities created by Parliament.
5	Bank of England Privileges.	3, 4 Will. 4, c. 98	- -- Determinable on 12 Months' Notice after 1st August 1855, and on Repayment of Debt due from the Public to Bank.
2	Bank of Ireland - - -	8, 9 Vict. c. 37 - -	- -- May be dissolved after 1 January 1855 on 12 Months' Notice, and Repayment of Debt due from the Public to the Bank.
7	Civil List - - -	1, 2 Vict. c. 2 - -	- Six Months after the Death of Her Majesty.
13	Courts Martial (East Indies).	7, 8 Vict. c. 18 - -	- -- During the continuance of any Act for punishing Mutiny and Desertion, &c.
4	East India Company's Dividend.	3, 4 Will. 4, c. 85 -	- -- Dividend subject to redemption by Parliament (on 12 Months' Notice) upon and at any time after 30th April 1874. As to right to demand redemption of Dividend, see No. 4 of Register.

I N D E X

TO

LAWS which were inserted in the REGISTER of TEMPORARY LAWS,

(July 1867),

But which are now omitted.

<i>Subject.</i>	<i>No. in Register 1867.</i>	<i>Reason for Omission.</i>
Bank Post Bills (Ireland) -	40	Made perpetual by 30, 31 Vict. c. 89.
Dockyard Extensions - -	48	Purposes of Act attained.
Pensions, British Forces (India)	31	Purposes of Act otherwise attained.
Poor Law Board - - -	17	Made permanent by 30, 31 Vict. c. 106.

I N D E X

OF THE SUBJECT-MATTER OF THE ACTS CONTAINED IN THIS REGISTER.

The * signifies that the Act relates *exclusively* to Ireland.

	N ^o in Register.		N ^o in Register.
ALKALI Act (1863) - - -	33.	* Landed Property Improvement - - -	14.
Bank of England - - - -	1, 5.	* Linen, Hempen and other Manufactures - - -	6.
* — of Ireland - - - -	2.	* Lunatic Asylums - - - -	12.
Chain Cables and Anchors - - -	37.	Locomotives on Roads - - - -	41.
Chester Courts - - - -	46.	Malt for Animals - - - -	35.
Civil List - - - -	7.	Master and Servant - - - -	47.
Coal Trade (Port of London) - - -	3.	Militia Pay - - - -	29.
Copyhold Commission - - -	20.	— Ballots Suspension - - -	28.
Corrupt Practices Prevention 1854. - - -	22.	Mutiny Act (Army) - - -	24.
* County Cess - - - -	18.	— (Marine Forces) - - -	25.
Courts Martial (East Indies) - - -	13.	Malt Duty - - - -	39.
* Dwellings for Labouring Classes - - -	26.	* Oaths, Unlawful - - - -	8.
East India Company's Dividend - - -	4.	* Peace Preservation - - - -	17.
Ecclesiastical Jurisdiction - - -	16.	Poor Rates, Stock in Trade Exemption - - -	9.
Episcopal and Capitular Estates Management. - - -	21.	* Poor Laws - - - -	15.
Extradition Treaties Act Amendment - - -	44.	Promissory Notes - - - -	31.
* Habeas Corpus Suspension - - -	42.	* Promissory Notes and Bills of Exchange. - - -	36.
Highway Rates - - - -	11.	Prosecution Expenses - - - -	43.
Inclosure Commission - - - -	20.	Public Schools - - - -	38.
Incumbered Estates (West Indies) - - -	23.	Salmon Fishery, 1861 - - - -	30.
Indemnity (Offices) - - - -	45.	* Salmon Fishery, 1863 - - - -	32.
		Salmon Fisheries (Scotland) - - -	34.
		Sheep and Cattle (Diseased) - - -	19.
		Survey of Great Britain - - - -	10.
		Tithe Commission - - - -	20.
		Turnpikes - - - -	27.
		War Department Tramway (Devon) - - -	40.

R E G I S T E R
OF
T E M P O R A R Y L A W S.



*Ordered, by The House of Commons, to be Printed,
5 May 1868.*

250.

Under 2 oz.

UNION WITH IRELAND.

FIFTH ARTICLE of the ACT for the UNION of *Great Britain* and *Ireland*,
40 Geo. III., c. 67 [2 July 1800].

ARTICLE FIFTH.

THAT it be the Fifth Article of Union, That the Churches of *England* and *Ireland*, as now by Law established, be united into One Protestant Episcopal Church, to be called, *The United Church of England and Ireland*; and that the Doctrine, Worship, Discipline, and Government of the said United Church shall be, and shall remain in full force for ever, as the same are now by Law established for the Church of *England*; and that the Continuance and Preservation of the said United Church, as the Established Church of *England* and *Ireland*, shall be deemed and taken to be an essential and fundamental Part of the Union; and that in like Manner the Doctrine, Worship, Discipline, and Government of the Church of *Scotland*, shall remain and be preserved as the same are now established by Law, and by the Acts for the Union of the Two Kingdoms of *England* and *Scotland*.

The Churches of *England* and *Ireland* to be united into One Protestant Episcopal Church, and the Doctrine of the Church of *Scotland* to remain as now established.

UNION WITH IRELAND.

FIFTH ARTICLE of the ACT for the UNION of
Great Britain and Ireland.

(*Colonel Stuart Knox.*)

*Ordered, by The House of Commons, to be Re-printed,
26 March 1868.*

291

COURT OF CHANCERY (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 12 June 1868;—for,

RETURNS “of the SALARY and EMOLUMENTS Yearly Received by *Gerald Fitzgibbon*, Esquire, as a Master in Chancery in *Ireland*, since December 1860;”

“And, of the Amount paid Yearly into his Office during the same Period for the Audit of GRAND JURY PRESENTMENTS.”

THE salary received by Gerald Fitzgibbon, Esq., as Master in Chancery, since December 1860, amounts to 2,500 *l.* a year, payable quarterly out of the Consolidated Fund on every 5th January and corresponding quarterly days, as fixed by the Act 13 & 14 Vict. c. 51, s. 28. There are no other emoluments attached to said office, and no other remuneration in any shape is received by said Master.

Nothing has been paid into his office during the same period for audit of Grand Jury Presentments, nor are any Grand Jury Presentments audited by said Master. The amount paid yearly into the Bank of Ireland on account of what is called “The Fee Fund for Audit of County Treasurers’ Accounts,” and to be applied in defraying the expenses of that audit, from the 25th March 1860 to 25th March 1868, is stated at foot. The sums so stated are the amounts produced by a computation of 3 *s.* on every 100 *l.* to which the debit sides of the several County Treasurers’ Accounts amounted each year; and this rate was fixed by an Order of the Lord Lieutenant in Council made on the 19th November 1842.

					£.	s.	d.
For the Year ended 25th March 1861	-	-	-		1,546	4	8
“ “ “ “ 1862	-	-	-		1,440	17	-
“ “ “ “ 1863	-	-	-		1,585	6	7
“ “ “ “ 1864	-	-	-		1,587	13	6
“ “ “ “ 1865	-	-	-		1,658	6	5
“ “ “ “ 1866	-	-	-		1,480	6	8
“ “ “ “ 1867	-	-	-		1,665	1	7
“ “ “ “ 1868	-	-	-		1,629	14	11

Office, Four Courts, Dublin,
18 June 1868.

RETURN of the Salary and Emoluments Yearly received by Gerald Fitzgibbon, Esquire, as Master in Chancery in Ireland, since December 1860; and, of the Amount paid Yearly into his Office during the same Period, for the Audit of Grand Jury Presentments.

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COURT OF CHANCERY (IRELAND).

RETURN of the Salary and Emoluments Yearly received by Gerald Fitzgibbon, Esquire, as Master in Chancery in Ireland, since December 1860; and, of the Amount paid Yearly into his Office during the same Period, for the Audit of Grand Jury Presentments.

(Colonel French.)

1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Ordered, by The House of Commons, to be Printed,

24 June 1868.

1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

COURT OF PROBATE (IRELAND).

AN ACCOUNT of the ANNUAL SALARIES of the JUDGE, REGISTRARS, CLERKS, and all Others holding Offices in the COURT of PROBATE in *Ireland*, together with an ACCOUNT of all FEES and MONEYS received in the Year ended 31st December 1867;

ALSO,

A RETURN of all COMPENSATIONS payable under the Authority of the PROBATE ACT for *Ireland* during that Year.

(PRESENTED PURSUANT TO THE ACT 20 & 21 Vict. cap. 79, sect. 116.)

Ordered, by The House of Commons, to be Printed,
26 March 1868.

COURT OF PROBATE (IRELAND).

ACCOUNT of the ANNUAL SALARIES of the JUDGE, REGISTRARS, CLERKS, and all others holding Offices in the COURT of PROBATE in IRELAND, together with an ACCOUNT of all FEES and MONEYS, received in the Year ended 31st December 1867.

Judge and Officers of the Court.	Amount of Salary.			From what Fund the Salaries are Defrayed.
	£.	s.	d.	
The Judge - - - - -	3,000	-	-	Consolidated Fund.
Judge's Secretary - - - - -	300	-	-	
Two Registrars at 1,000 l. each - - - - -	2,000	-	-	
Two Registrars' Clerks at 250 l. each - - - - -	500	-	-	
Chief Clerk and Clerk of the Rules and Pleadings)	600	-	-	
Assistant Clerk, and Clerk of the Seal - - - - -	300	-	-	
Clerk of the Seat - - - - -	450	-	-	
Assistant Clerk of the Seat - - - - -	350	-	-	
Clerk of the Records - - - - -	450	-	-	Moneys voted by Parliament.
Assistant Clerk of the Records - - - - -	250	-	-	
Superintendent of Public Office and Accountant -	300	-	-	
First Clerk of the Entries - - - - -	250	-	-	
Second Clerk of the Entries - - - - -	200	-	-	
General Clerk - - - - -	175	-	-	
Second General Clerk - - - - -	130	-	-	
Crier - - - - -	120	-	-	
Usher - - - - -	75	-	-	
Messenger - - - - -	60	-	-	
Court and Office Keeper - - - - -	70	-	-	Money voted by Parliament.
Court Keeper and Messenger of the Court of Probate, Four Courts.	65	-	-	
Total Salaries of the Judge and Officers of the Court - - - - -	£.	10,145	- -	
Incidental Expenses for the Year ended 31st December 1867 - - - - -	£.	1,057	8 1	

RETURN of SALARIES ALLOWANCES and INCIDENTAL EXPENSES of the DISTRICT REGISTRIES of the COURT of PROBATE in *Ireland*, for the Year ended 31st December 1867.

NAME.	OFFICE.	Annual Amount.	Amount paid in Year.	REMARKS.
District Registrars :		£. s. d.	£. s. d.	
T. McHigginson - - -	Belfast - - -	600 - -	700 - -	*Additional Allowance to present holders only.
Henry Richardson - - -	Cork - - -	*100 - -	350 - -	
Robert Riddall - - -	Armagh - - -	300 - -	350 - -	
James L. Hickey - - -	Waterford - - -	*50 - -	300 - -	
James Nesbitt - - -	Londonderry - - -	250 - -	300 - -	
		*50 - -		
Total - - -			2,000 - -	
Clerks to District Registrars :				
A. McAfee - - -	Belfast - - -	125 - -	125 - -	
Thomas Cooper - - -	Ditto - - -	95 - -	95 - -	
Thomas Marshall - - -	Ditto - - -	85 - -	85 - -	
Henry Ferguson - - -	Ditto - - -	65 - -	65 - -	
David Armstrong - - -	Ditto - - -	39 - -	39 - -	
Richard Dawman - - -	Cork - - -	130 - -	130 - -	
Richard Connor - - -	Ditto - - -	75 - -	75 - -	
Michael Carey - - -	Ditto - - -	39 - -	39 - -	
Arthur Nelson - - -	Armagh - - -	110 - -	110 - -	
L. H. Mills - - -	Ditto - - -	65 - -	65 - -	
Michael Rafferty - - -	Ditto - - -	39 - -	39 - -	
James Skelton - - -	Waterford - - -	85 - -	85 - -	
James P. Wall - - -	Ditto - - -	65 - -	65 - -	
James Barrow - - -	Ditto - - -	39 - -	39 - -	
William Glendenning - - -	Londonderry - - -	100 - -	100 - -	
James Glendenning - - -	Ditto - - -	65 - -	65 - -	
Thomas Moore - - -	Ditto - - -	39 - -	39 - -	
Total - - -			1,260 - -	
Incidental Expenses :				
Belfast - - -			2 - -	
Cork - - -			1 - -	
Armagh - - -			1 - -	
Londonderry - - -			1 - -	
Waterford - - -			1 - -	
TOTAL - - £.			6 - -	

DISTRICT REGISTRARS (IRELAND).
(Not yet placed on Salaries.)

AN ACCOUNT of the Amount of all FEES received by such of the DISTRICT REGISTRARS of the COURT of PROBATE in *Ireland*, as have not yet been placed on Salaries, in the Year 1867; together with the DISBURSEMENTS therefrom in the same Year, and the Net Amount remaining after deducting such Disbursements.

Name of District Registry.	Names of District Registrars (not yet placed on Salaries).	Gross Amount of Fees received.	Disbursements out of the Gross Amount on Account of		Net Amount of Fees received after deducting Salaries and Expenses.
			Salaries of Clerks and Messengers.	Incidental Expenses.	
		£. s. d.	£. s. d.	£. s. d.	£. s. d.
Limerick - - -	J. McMahon -	443 - 1	60 - -	12 10 -	370 10 1
Kilkenny - - -	James Poe -	433 15 10	26 - -	30 - -	377 15 10
Ballina - - -	Robert Mostyn -	111 10 2	22 10 -	1 10 -	87 10 2
Tuam - - -	B. J. Clarke -	90 1 9	20 - -	2 - -	68 1 9
Cavan - - -	T. Thompson -	109 1 4	- - -	12 - -	97 1 4
Mullingar - - -	G. Fetherstonhaugh.	120 13 2	25 12 6	1 9 6	93 11 2
TOTAL - - £.		1,308 2 4	154 2 6	59 9 6	1,094 10 4

COURT OF PROBATE (IRELAND).

AMOUNT expended by the BOARD of WORKS in *Ireland* on Account of the PROBATE COURT in *Dublin* and the DISTRICT REGISTRIES in *Ireland* during the Year 1867.

	£.	s.	d.
Court of Probate, Dublin - - - - -	148	4	-
District Probate Registry Offices :			
Armagh - - - - -	52	9	-
Ballina - - - - -	39	2	3
Belfast - - - - -	37	16	3
Cavan - - - - -	30	-	-
Cork - - - - -	46	6	9
Kilkenny - - - - -	7	13	3
Limerick - - - - -	4	14	11
Londonderry - - - - -	54	17	10
Tuam - - - - -	13	10	-
Waterford - - - - -	36	13	-
	323	3	3
TOTAL - - - - £.	471	7	3

RETURN of the Amount of FEES and MONEYS levied during the Year 1867, in the PRINCIPAL and DISTRICT REGISTRIES of the COURT of PROBATE in *Ireland*.

	£.	s.	d.
Principal Registry :			
Fees received by way of Stamps - - - - -	8,996	12	-
Cash from Commissioners of Charities - - - - -	227	13	-
	£.	9,224	5 -
District Registries :			
Armagh, Fees received by way of Stamps - - - - -	585	12	6
Belfast - - - - Ditto - - - - -	1,939	19	6
Cork - - - - Ditto - - - - -	835	19	11
Londonderry - - - Ditto - - - - -	642	14	-
Waterford - - - Ditto - - - - -	548	11	6
	4,552	17	5
TOTAL - - - - £.	13,777	2	5

COMPENSATION ALLOWANCES.

COMPENSATIONS to PROCTORS and OFFICERS of the late ECCLESIASTICAL and PREROGATIVE COURTS in the Year ended 31st December 1867, as shown in Parliamentary Papers, Nos. 133 of 1861, 132 of 1862, 87 of 1863, 124 of 1864, 230 of 1865, 142 of 1866, and 286 of 1867.

NAME.	OFFICE.	£. s. d.
Allen, Rev. James H. - - -	Registrar, Consistorial Court, Killaloe and Kilferora - - -	42 19 -
Armstrong, John - - -	Proctor, Consistorial Court, Kilmore - - -	14 10 10
Bell, Venerable Archdeacon R. -	Surrogate, Consistorial Court, Waterford and Lismore - - -	12 6 -
Birney, John - - -	- Ditto - - ditto - - Down and Connor - - -	5 13 7
Blake, Edward - - -	- Ditto - - ditto - - Clonfert and Kilmacduagh - - -	7 13 6
Bowen, Robert Cole - - -	Examiner, Prerogative Court, Dublin - - -	256 1 8
Brown Rev. John - - -	Registrar, Consistorial Court, Kildare - - -	17 4 -
Brydges John George William -	Joint Registrar with George Scott, Consistorial and Metropolitan Court, Armagh.	86 15 9
Carson, Rev. Thomas - - -	Vicar General, Consistorial and Metropolitan Court, Kilmore -	22 4 1
Chambers, Thomas - - -	Proctor, Consistorial Court, Derry - - -	18 13 1
Cherry, Robert William - - -	- Ditto - - ditto - Waterford and Lismore, to 30 September 1867, at 6 l. 0 s. 9 d. per annum.	4 10 6
Colhoun, Isaac - - -	- Ditto - - ditto - Derry - - -	17 19 7
Conway, Patrick Joseph - - -	- Ditto - - ditto - Tuam, Killala, and Achonry - - -	6 17 6
Crampton, Rev. John F. T. - -	Registrar, Consistorial Court, Clonfert and Kilmacduagh - -	14 19 10
Crosthwaite, Rev. Charles - -	Vicar General, Consistorial Court, Kildare - - -	6 4 -
Delandre, Vernon R. - - -	Proctor, Consistorial Court, Waterford and Lismore - - -	78 9 7
Dillon, William - - -	- Ditto - - ditto - Down and Connor - - -	103 - -
Dwyer, Francis - - -	Proctor, Prerogative Court, Dublin - - -	82 12 3
Eagar, James McMahon - - -	Deputy Registrar, Consistorial Court, Ardfert, Aghadoe - -	33 3 8
Fenwick, William - - -	Registrar, Consistorial Court, Raphoe - - -	17 1 3
Fleming, Swithin - - -	Proctor, Consistorial Court, Cloyne - - -	3 2 -
Fleury - - -	Registrar, Consistorial Court, Waterford and Lismore - - -	51 5 2
Franklin, John - - -	Proctor, Consistorial Court, Cork and Ross - - -	29 6 6
Gayer, Arthur Edward, LL.D. -	Vicar General, Consistorial Court, Meath - - -	16 13 2
	- Ditto - - - ditto - - Ossory - - -	11 14 4
	- Ditto - - - ditto - - Waterford and Lismore - - -	27 7 5
Greene, Michael - - -	Proctor, Consistorial Court, Cloyne - - -	20 4 9
Gregg, William Verleng - - -	- Ditto - - ditto - Cork and Ross - - -	61 1 10
Guinness, Arthur H. - - -	Proctor, Prerogative Court, Dublin - - -	423 14 9
Hamilton, Joseph, sen. - - -	Proctor, Prerogative Court, Dublin - - - £. 508 13 5 } Part of 545 l. 16 s. formerly payable to A. Ormsby £. 254 6 8 }	763 - 1
Hamilton, Joseph, jun. - - -	Registrar, High Court of Delegates, Dublin - - -	72 18 11
	Deputy Registrar, High Court of Delegates, Dublin (24 l. 6 s. 3 d. per annum not claimed).	-
Hamilton, Thomas James - - -	Proctor, Prerogative Court, Dublin - - -	346 16 1
Hearn, George - - -	Registrar, Consistorial Court, Ardagh - - -	51 6 2
Higginson, Henry T. - - -	- Ditto - - ditto - - Down and Connor - - -	667 10 1
Hinds, John Thomas - - -	Proctor, Consistorial Court, Meath - - -	10 - -
Hodder, Francis - - -	- Ditto - - ditto - - Cork - - -	27 10 -
Hone, Brindley - - -	Proctor, Prerogative Court, Dublin - - -	217 14 9
Hyde, Thomas - - -	Proctor, Consistorial Court, Clonfert and Kilmacduagh - - -	7 19 -
Irwin, Rev. Alexander - - -	Surrogate, Consistorial and Metropolitan Court, Armagh, to 31 March 1867 at 14 l. 10 s. per annum.	3 12 6
Irwin, Edwin William - - -	Proctor, Prerogative Court, Dublin - - -	124 9 2
Carried forward - - - £.		3,786 6 4

COMPENSATIONS to Proctors and Officers of the late Ecclesiastical and Prerogative Courts, &c.—*continued.*

NAME.	OFFICE.	—
		£. s. d.
	Brought forward - - -	3,786 6 4
Jebb, William - - -	Proctor, Consistorial Court, Clogher - - -	28 3 1
Joly, Jasper Robert - - -	Vicar General, Consistorial Court, Tuam, Killala, and Achonry -	14 3 10
Knox, Charles George - - -	Vicar General, Consistorial Court, Down and Connor - - -	505 4 11
Kough, Thomas - - -	Registrar, Consistorial Court, Ferns and Leighlin - - -	164 10 4
Kyle, Samuel Moore - - -	Vicar General, Consistorial Court, Cork and Ross - - -	132 6 7
Lancaster, Rev. James - - -	Registrar, Consistorial Court, Tuam, Killala, and Achonry - - -	11 7 2
Lawson, John - - -	Proctor, Consistorial Court, Ossory - - -	19 18 8
Leslie, Rev. Charles - - -	Vicar General, Consistorial Court, Ardagh - - -	11 16 8
M'Afee, Archibald - - -	Apparitor, Consistorial Court, Down and Connor - - -	16 16 8
M'Kinstry, John - - -	Proctor, Consistorial and Metropolitan Court, Armagh - - -	15 13 -
Mayne, Rev. Charles - - -	Vicar General, Consistorial Court, Cashel - - -	12 7 4
O'Keeffe, Daniel Joseph - - -	Clerk in Registry, Consistorial Court, Cork and Ross - - -	42 4 5
Orme, Robert - - -	Proctor, Prerogative Court, Dublin - - -	616 11 2
Payne, Rev. Somers H. - - -	Vicar General, Consistorial Court, Killaloe and Kilfenora - - -	16 3 4
Pennington, John - - -	Proctor, Consistorial Court, Down and Connor - - -	62 6 -
Poole, Rev. Jonas Morris - - -	Surrogate, Consistorial Court, Cashel, to 30 Sept. 1867, at 6 l. 3 s. 8 d. per annum.	4 12 9
Richards, Samuel - - -	Clerk in Registry, Prerogative Court, Dublin - - -	87 18 5
Robinson, Rev. Alexander - - -	Marshal, Prerogative Court, Dublin, (85 l. per annum, suspended while holding office).	
Rogers, Rev. William - - -	Registrar, Consistorial Court, Cloyne - - -	83 11 11
Samuels, Arthur - - -	Proctor, Prerogative Court, Dublin - - -	243 7 8
Samuels, John - - -	Registrar, Consistorial and Metropolitan Court, Dublin to 24 Sept. 1867 at 402 l. 1 s. 1 d. per annum.	294 19 6
Samuels, John Hasler - - -	Deputy Registrar, Consistorial and Metropolitan Court, Dublin -	44 9 2
Savage, Richard - - -	Proctor, Consistorial Court, Tuam, Killala, and Achonry - - -	10 12 6
Saurin, Mood A. - - -	Registrar, Consistorial Court, Dromore - - -	54 14 4
Seeds, Henry - - -	Proctor, Consistorial Court, Down and Connor - - -	139 8 6
Seymour, Rev. Charles Henry -	Surrogate, Consistorial Court, Tuam - - -	3 17 10
Smith, Rev. George - - -	- Ditto - - ditto - - Derry - - -	16 16 2
Stanley, John - - -	Proctor, Consistorial and Metropolitan Court of Armagh - - -	48 2 5
Stephenson, George - - -	Proctor, Consistorial Court, Down and Connor - - -	140 15 10
Stevenson, James A. M. - - -	- Ditto - - ditto - - Derry - - -	2 18 -
Stewart, Hugh - - -	Deputy Registrar, Consistorial Court, Dromore - - -	47 5 5
Stock, Joseph - - -	Seal Keeper, Consistorial Court, Dromore - - -	2 18 8
Stopford, Rev. Thomas A. - - -	Proctor, Prerogative Court, Dublin - - -	958 19 3
Stuart, William - - -	Registrar, Consistorial Court, Meath - - -	98 12 6
Swettenham, George Fletcher -	- Ditto - - ditto - - Dublin - - -	2,579 4 -
Swift, Robert S. - - -	Registrar, Prerogative Court, Dublin - - -	406 1 6
	Proctor, Prerogative Court, Dublin - - - £. 556 6 3 } Formerly payable to John Swift - - - £. 556 6 3 }	1,112 12 6
Tilly, Thomas - - -	Proctor, Prerogative Court, Dublin - - - £. 545 16 1 } Part of 545 l. 16 s. formerly payable to A. Ormsby £. 291 9 3 }	837 5 4
Tottenham, Rev. Robert L. - -	Surrogate, Consistorial Court, Clogher - - -	17 15 6
Walker, Rev. John Cottar - - -	Surrogate, Consistorial Court, Clonfert and Kilmaeduaigh - - -	4 6 5
White, John Davis - - -	Clerk in Registry, Consistorial Court, Cashel - - -	11 13 4
Wilson, Cadwallader - - -	Proctor, Consistorial Court, Cashel - - -	12 17 7
Wilson, William - - -	Proctor, Prerogative Court, Dublin - - -	61 15 1
Worthington, Thomas - - -	Deputy Registrar, Consistorial Court, Raphoe - - -	12 15 11
	Proctor, Prerogative Court, Dublin - - -	806 16 5
	TOTAL - - -	13,583 5 3

RECAPITULATION of the Foregoing RETURN.

	£.	s.	d.
Annual Salaries of the Judge, and other officers of the Court of Probate in } Dublin, p. 2 }	10,145	-	-
Incidental Expenses of the Court, p. 2	1,057	8	1
Salaries of the District Registrars in Ireland, p. 3 -	2,000	-	-
Salaries of the Clerks to Registrars in ditto, p. 3 -	1,260	-	-
Incidental Expenses of District Registrars	6	-	-
Amount expended by the Board of Works in Ireland on account of the Probate } Court and District Registries in the Year 1867, p. 4 - - - - }	471	7	3
TOTAL Salaries and Expenses - - - - £.	14,939	15	4
Amount of Compensations to Proctor and officers of the late Ecclesiastical and } Prerogative Court to 31st December 1867, pp. 5, 6 - - - - }	13,583	5	3
TOTAL - - - - £.	28,523	-	7
	£.	s.	d.
Deduct Amount of Fees received in the Year 1867, } Dublin, p. 4 }	-	-	-
District Registries, Ireland, p. 4 -	4,552	17	5
	13,777	2	5
DEFICIENCY - - - £.	14,745	18	2

Memorandum.—For Fees and Expenses of Registries not yet placed on Salaries, *see* p. 3.

Whitehall, Treasury Chambers, }
12 March 1868. }

G. SCLATER-BOOTH.

COURT OF PROBATE (IRELAND).

ACCOUNT of the ANNUAL SALARIES of the JUDGE, REGISTRARS, CLERKS, and all Others holding Offices in the COURT of PROBATE in *Ireland*, together with an ACCOUNT of all FEES and MONIES received in the Year ended 31st December 1867 :—Also, RETURN of all COMPENSATIONS Payable under the Authority of the PROBATE ACT for *Ireland* during that Year.

(Presented pursuant to Act 20 & 21 Vict. cap. 79, sect. 116.)

*Ordered, by The House of Commons, to be Printed,
26 March 1868.*

FINES AND PENALTIES (IRELAND).

I R E L A N D.

AN ABSTRACT of the ACCOUNTS of all FINES and other PENAL SUMS
accounted for under the Act 14 & 15 Vict. c. 90, for each of the Years
ending 31st December 1864 and 1865.

(PRESENTED PURSUANT TO ACT OF PARLIAMENT.)

Ordered, by The House of Commons, to be Printed,
18 March 1868.

I R E L A N D.

I.—ABSTRACT of the ACCOUNTS of all FINES and other PENAL SUMS accounted

Note.—From Two Petty Sessions the Returns are Deficient for the above Year, and from One Quarter

COUNTY.	AMOUNT IMPOSED.				AMOUNT NOT PAID.			
	Fines, &c.	Compensation.	Costs.	Total Imposed.	Remitted by Competent Authority.	Amount for which Parties committed to Gaol and not Paid.	Uncollected from other Causes, such as Absconding, &c.	Fines upon Jurors for which Warrants issued to Sheriffs and not accounted for to Registrar.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Antrim - - - - -	3,139 17 8	318 12 2	535 14 8	3,994 4 6	136 1 -	1,065 1 9	176 16 -	- - -
Armagh - - - - -	549 19 4	70 9 1	197 17 8	818 6 1	21 18 9	173 18 9	35 4 9	31 - -
Carlow - - - - -	238 4 8	1 2 3	79 2 11	318 9 10	12 - -	121 14 5	4 15 6	- - -
Cavan - - - - -	371 10 7	8 1 4	131 17 1	511 9 -	20 17 -	79 7 -	37 12 -	- - -
Clare - - - - -	381 4 9	19 17 10	235 - 1	636 2 8	11 9 6	53 5 9	32 18 3	- - -
Cork - - - - -	2,846 8 3	86 4 10	1,125 14 10	4,058 7 11	90 7 11	932 12 10	179 18 7	3 - -
Donegal - - - - -	635 - 2	29 12 2	180 9 4	845 1 8	42 11 -	145 7 2	51 10 7	4 - -
Down - - - - -	1,000 18 3	155 8 9	340 18 10	1,497 5 10	16 1 6	232 17 5	65 18 4	- - -
Dublin - - - - -	797 2 10	7 13 4	142 4 4	947 - 6	372 18 -	33 2 9	28 1 -	15 - -
Fermanagh - - - - -	280 14 2	8 14 7	93 12 11	383 1 8	9 - -	69 1 9	17 1 6	- - -
Galway - - - - -	1,335 3 7	28 9 8	373 18 8	1,737 11 11	428 9 -	279 15 11	134 - 7	97 - -
Kerry - - - - -	674 6 11	35 13 2	253 5 3	963 5 4	81 10 3	154 - 11	42 14 1	- - -
Kildare - - - - -	523 1 10	19 5 2	212 9 2	754 16 2	11 3 -	182 14 6	43 2 10	96 - -
Kilkenny - - - - -	393 12 4	8 1 6	184 1 2	585 15 -	42 2 6	43 14 -	49 2 10	3 - -
King's - - - - -	319 14 6	10 4 8	146 11 6	476 10 8	7 - -	80 3 5	13 10 1	- - -
Leitrim - - - - -	222 - 8	1 2 -	125 14 2	348 16 10	3 - -	38 11 2	22 1 1	- - -
Limerick - - - - -	912 11 7	32 14 -	444 3 8	1,389 9 3	215 2 3	203 1 2	41 4 7	4 - -
Londonderry - - - - -	705 12 9	63 1 7	148 10 -	917 4 4	253 3 6	59 6 2	68 16 9	35 - -
Longford - - - - -	176 9 11	7 12 4	82 14 3	266 16 6	- - -	13 15 8	11 7 2	- - -
Louth - - - - -	319 15 11	6 19 1	80 2 2	406 17 2	- - -	35 1 1	116 1 9	- - -
Mayo - - - - -	675 4 3	15 7 1	223 8 -	913 19 4	114 11 1	144 11 3	88 13 9	16 - -
Meath - - - - -	464 10 1	7 2 11	195 - 10	666 13 10	6 10 -	106 19 7	30 17 6	- - -
Monaghan - - - - -	309 16 -	7 19 2	132 8 10	450 4 -	- - -	98 16 1	31 6 -	- - -
Queen's - - - - -	397 5 6	11 4 7	221 10 11	630 1 -	8 2 6	92 12 1	52 6 11	- - -
Roscommon - - - - -	312 7 6	15 18 7	178 8 9	506 14 10	25 - -	60 16 9	19 11 9	8 10 -
Sligo - - - - -	350 7 11	13 13 1	116 18 2	480 19 2	25 17 4	117 19 10	21 5 8	1 - -
Tipperary - - - - -	1,067 16 5	20 11 3	490 4 7	1,578 12 3	122 3 7	290 18 7	88 18 9	- - -
Tyrone - - - - -	885 1 9	119 9 2	171 3 4	1,175 14 3	6 6 -	480 19 9	143 10 4	- - -
Waterford - - - - -	491 16 7	5 8 6	138 9 7	635 14 8	13 11 3	119 14 10	64 15 9	8 - -
Westmeath - - - - -	326 19 9	7 17 2	113 - 7	447 17 6	12 - -	53 14 7	17 9 9	30 - -
Wexford - - - - -	312 9 4	6 - 3	163 19 10	482 9 5	11 3 -	59 1 3	28 5 7	- - -
Wicklow - - - - -	406 8 2	7 2 1	180 17 1	594 7 4	- - -	72 10 6	39 19 8	- - -
	21,823 13 11	1,156 13 4	7,439 13 2	30,420 - 5	2,119 19 11	5,685 8 8	1,798 19 8	351 10 -
Dublin Police Offices - - -	4,355 7 4	- - -	458 1 5	4,813 8 9	- - -	1,333 14 7	180 5 10	- - -
£.	26,179 1 3	1,156 13 4	7,897 14 7	35,233 9 2	2,119 19 11	7,019 3 3	1,979 5 6	351 10 -

II.—ABSTRACT in which the AMOUNTS imposed, &c. at the SUPERIOR COURTS, QUARTER SESSIONS,

Superior Courts, Dublin, and Assizes throughout Ireland.	1,582 13 6	- - -	- - -	1,582 13 6	925 15 -	- - 6	229 10 -	232 - -
Quarter Sessions - - - -	705 4 6	- - -	- - -	705 4 6	292 - -	62 - -	84 11 -	119 10 -
Petty Sessions - - - -	19,535 15 11	1,156 13 4	7,439 13 2	28,132 2 5	902 4 11	5,623 8 2	1,484 18 8	- - -
£.	21,823 13 11	1,156 13 4	7,439 13 2	30,420 - 5	2,119 19 11	5,685 8 8	1,798 19 8	351 10 -

- I R E L A N D.

for under the Act 14 & 15 Vict. c. 90, for the Year ending 31st December 1864.

Sessions and One Petty Sessions the Returns are Deficient for a portion of the Year.

AMOUNT PAID.			APPLICATION OF AMOUNT PAID.					Balance chargeable against Officers of Courts.	REMARKS.
Paid on account of Fines, &c., imposed during the above Period.	Paid during above Period on account of Arrears.	Total Paid.	To Treasurers of Boroughs and Private Parties.	To Constabulary for Reward Fund.	To any Parties as Costs.	For Postage and Money Orders.	Lodged in Bank of Ireland.		
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
2,616 5 9	112 15 7	2,729 1 4	1,588 2 3	110 13 8	448 9 -	1 19 1	579 17 4	—	
556 3 10	1 14 6	557 18 4	119 7 7	43 7 3	163 4 10	- 11 7	231 7 1	—	
179 19 11	- 14 6	180 14 5	16 6 9	10 11 6	66 2 11	- 7 5	85 18 9	1 7 1	
373 13 -	3 8 -	377 1 -	24 9 4	44 - -	118 9 7	1 9 3	188 12 10	—	
538 9 2	10 18 4	549 7 6	77 14 2	36 5 9	220 1 7	1 8 3	213 17 9	—	
2,852 8 7	27 5 -	2,879 13 7	756 16 3	178 2 4	941 16 1	4 3 10	998 15 1	—	
601 12 11	1 12 6	603 5 5	83 12 8	59 19 5	163 19 8	3 - -	292 13 8	—	
1,182 8 7	9 16 7	1,192 5 2	129 9 3	72 13 10	312 13 10	2 2 8	675 5 7	—	
497 18 9	- 5 -	498 3 9	39 8 2	33 11 11	139 13 4	- 7 3	273 16 2	11 6 11	
287 18 5	9 8 6	297 6 11	56 3 4	33 5 7	80 - 9	- 19 -	126 18 3	—	
798 6 5	6 - 1	804 6 6	55 4 9	21 5 8	318 15 11	2 6 4	406 13 10	—	
685 - 1	26 19 3	711 19 4	139 14 1	72 5 3	219 6 9	1 15 4	278 17 11	—	
421 15 10	3 8 -	425 3 10	16 2 6	27 11 8	160 7 1	- 16 9	219 4 4	1 1 6	
447 15 8	- 8 -	448 3 8	15 14 3	30 9 3	167 13 9	1 3 -	233 3 5	—	
375 17 2	2 4 6	378 1 8	34 11 8	36 12 7	131 17 6	1 1 1	173 18 10	—	
285 4 7	5 15 6	291 - 1	15 4 6	31 3 2	115 8 2	1 3 1	128 1 2	—	
926 1 3	3 18 4	929 19 7	48 4 -	48 3 11	397 18 10	1 9 1	434 3 9	—	
500 17 11	16 12 5	517 10 4	158 9 5	22 9 4	134 6 -	1 - 4	201 5 3	—	
241 13 8	6 8 6	248 2 2	20 9 6	28 10 1	79 12 1	- 8 11	93 6 11	25 14 8	
265 14 4	3 3 -	268 17 4	28 17 7	26 7 5	78 - 3	- 8 6	135 3 7	—	
550 3 3	18 1 1	568 4 4	46 10 2	51 3 11	193 12 6	1 17 1	275 - 8	—	
522 6 9	- 2 -	522 8 9	23 16 9	32 2 8	183 12 10	1 4 6	281 12 -	—	
320 1 11	11 6 8	331 8 7	46 16 8	33 7 3	96 17 -	- 15 1	153 12 7	—	
476 19 6	1 15 -	478 14 6	33 16 6	46 2 5	189 2 5	1 4 -	208 9 2	—	
392 16 4	2 6 -	395 2 4	25 5 11	25 9 10	168 4 3	1 9 1	174 13 3	—	
314 16 4	8 5 -	323 1 4	35 12 5	40 6 5	102 1 8	- 16 -	144 4 10	—	
1,076 11 4	9 2 6	1,085 13 10	43 12 10	98 18 1	397 10 7	2 - 7	543 11 9	—	
544 18 2	8 1 -	552 19 2	63 3 2	73 - 11	138 12 5	2 6 5	275 16 3	—	
429 12 10	2 12 -	432 4 10	41 15 5	42 15 5	119 7 7	1 6 4	227 - 1	—	
334 13 2	6 11 7	341 4 9	20 - 7	13 1 10	107 5 11	1 5 8	199 10 9	—	
383 19 7	- 16 -	384 15 7	13 14 5	53 12 4	149 11 8	- 9 2	167 8 -	—	
481 17 2	96 9 10	578 7 -	14 1 6	- 7 10	149 12 11	1 5 11	271 4 8	141 14 2	
20,464 2 2	418 4 9	20,882 6 11	3,832 8 4	1,477 18 6	6,453 9 8	44 - 7	*8,893 5 6	181 4 4	* To credit of Receiver of Constabulary.
3,299 8 4	10 13 6	3,310 1 10	359 1 3	- - -	- - -	- - -	+2,951 - 7	- - -	+ To credit of Receiver of Metropolitan Police.
23,763 10 6	428 18 3	24,192 8 9	4,191 9 7	1,477 18 6	6,453 9 8	44 - 7	11,844 6 1	181 4 4	

and PETTY SESSIONS as above (excluding Dublin Police Offices) are set forth respectively.

195 8 -	- - -	195 8 -	- - -	- - -	- - -	- - 6	195 7 6	—	
147 3 6	2 10 -	149 13 6	15 - -	- - -	- 9 -	- 4 6	134 - -	—	
20,121 10 8	415 14 9	20,537 5 5	3,817 8 4	1,477 18 6	6,453 - 8	43 15 7	8,563 18 -	181 4 4	
20,464 2 2	418 4 9	20,882 6 11	3,832 8 4	1,477 18 6	6,453 9 8	44 - 7	8,893 5 6	181 4 4	

III. ABSTRACT of ACCOUNTS rendered by CONSTABULARY RECEIVER, of all
PENALTIES ACCOUNT, for the Year

DEBIT.	£.	s.	d.	£.	s.	d.
To Balance on foot of Abstract ending 31st December 1863 -	-	-	-	79,814	17	4
To Amount as per preceding Abstract No. 1 - - -	8,893	5	6			
To Amount,—recovered out of Balances due by officers of } Court from former years - - - - - }	17	13	8			
To Amount of Jurors' Fines lodged by Sheriffs - - -	1	13	4			
	8,912	12	6			
Add,—Amount lodged in Bank in 1864 on foot of Fines, } &c. imposed prior to 1st January of that year - - }	2,200	6	6			
	11,112	19	-			
Deduct,—Amount lodged in 1865 on foot of Fines, &c. } imposed in 1864, and of arrears from former years - }	2,504	11	5			
				8,608	7	7
To Amount lodged in Bank, being dividend payable on the sum invested in the New Three per Cent. Government Stock to the credit of the "Fines Act Investment Fund," in the joint names of the Chief and Under Secretaries for Ireland and the Receiver of the Constabulary Force, all for the time being, less 29 l. 11 s. 10 d. Income Tax - - - - - }				*985	-	3
To Amount lodged in Bank, being dividend payable on the sum invested in the New Three per Cent. Government Stock to the credit of the "Petty Sessions Clerks Act Investment Fund," in the joint names of the Chief and Under Secretaries for Ireland, the Receiver of the Constabulary Force, and the Registrar of Petty Sessions Courts, all for the time being, less 6 l. 0 s. 10 d. In- come Tax - - - - - }				*201	1	11
* These are the Dividends for half-year ending in April 1864 only; those payable in October 1864 not having been drawn till 1865, in consequence of the death of the Receiver of Constabulary.						
	£.			89,609	7	1

IV. ABSTRACT of ACCOUNTS rendered by the RECEIVER of the DUBLIN METRO-
the DUBLIN FINES and PENALTIES ACCOUNT, for

	£.	s.	d.	£.	s.	d.
To Balance on foot of Abstract ending 31st December 1863 -	-	-	-	1,854	15	1
To Amount as per preceding Abstract No. 1 - - -	2,951	-	7			
Add,—Amount lodged in Bank in 1864 on foot of Fines } imposed in 1863 - - - - - }	73	7	-			
	3,024	7	7			
Deduct,—Amount lodged in Bank in 1865 on foot of } Fines imposed in 1864 - - - - - }	55	10	6			
				2,968	17	1
	£.			4,823	12	2

Approved,

Mayo, Chief Secretary,
17 March 1868.

I R E L A N D.

I.—ABSTRACT of the ACCOUNTS of all FINES and other PENAL SUMS accounted

Note.—From One Petty Sessions the Returns are Deficient for the above Year.

COUNTY.	AMOUNT IMPOSED.				AMOUNT NOT PAID.			
	Fines, &c.	Compensation.	Costs.	Total Imposed.	Remitted by Competent Authority.	Amount for which Parties committed to Gaol and not Paid.	Uncollected from other Causes, such as Absconding, &c.	Fines upon Jurors, for which Warrants issued to Sheriffs and not accounted for to Registrar.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Antrim - - - - -	4,425 12 5	196 11 7	683 5 1	5,305 9 1	46 3 4	1,740 15 3	126 5 11	55 - -
Armagh - - - - -	584 11 1	32 9 5	191 14 6	808 15 -	27 10 6	122 12 10	12 10 10	15 - -
Carlow - - - - -	461 14 -	2 6 2	76 11 11	540 12 1	- - -	30 14 6	323 11 9	- -
Cavan - - - - -	411 14 -	19 8 6	139 1 6	570 4 -	18 3 6	96 4 4	28 4 10	- -
Clare - - - - -	582 16 11	17 7 5	243 3 10	843 8 2	- 12 6	78 8 4	254 6 11	- -
Cork - - - - -	2,903 17 8	74 9 2	1,151 7 4	4,129 14 2	236 14 -	774 17 10	223 18 11	- -
Donegal - - - - -	587 19 5	58 8 9	214 19 5	861 7 7	40 7 3	80 5 8	39 11 7	- -
Down - - - - -	1,315 - 5	36 14 5	343 9 10	1,695 4 8	3 10 -	530 6 2	62 3 8	- -
Dublin - - - - -	596 17 -	7 1 7	127 - 6	730 19 1	152 1 6	7 5 7	113 4 9	9 - -
Fermanagh - - - - -	383 8 10	9 18 9	97 8 -	490 15 7	6 6 -	99 8 7	12 15 -	- -
Galway - - - - -	797 14 4	31 15 8	372 12 -	1,202 2 -	103 17 -	154 - 2	84 13 5	- -
Kerry - - - - -	683 11 3	36 10 10	277 2 7	997 4 8	56 11 6	144 7 10	37 10 9	- -
Kildare - - - - -	459 5 5	22 6 5	223 8 2	705 - -	48 10 -	156 1 1	51 8 1	- -
Kilkenny - - - - -	478 2 11	7 8 5	168 6 -	654 4 4	68 17 -	79 13 6	45 2 6	- -
King's - - - - -	318 1 4	13 18 9	149 9 5	481 9 6	7 - -	55 3 3	14 9 4	33 - -
Leitrim - - - - -	240 6 3	10 3 6	121 8 3	371 18 -	11 11 6	29 4 -	27 11 9	- -
Limerick - - - - -	923 10 10	27 15 3	434 5 8	1,385 11 9	69 16 1	174 18 11	66 7 6	2 - -
Londonderry - - - - -	688 1 1	52 13 8	184 4 4	924 19 1	32 13 -	121 1 -	107 5 1	19 - -
Longford - - - - -	165 2 2	7 2 2	68 8 8	240 13 -	1 7 6	39 18 6	- 14 -	- -
Louth - - - - -	200 17 11	13 9 2	78 1 6	292 8 7	11 1 -	16 2 6	4 16 6	- -
Mayo - - - - -	671 8 -	14 6 -	243 17 10	929 11 10	160 1 -	139 18 7	39 17 1	5 - -
Meath - - - - -	378 12 4	10 11 1	171 9 6	560 12 11	- - -	65 8 10	9 14 10	- -
Monaghan - - - - -	331 8 9	11 4 10	132 15 8	475 9 3	- - -	111 8 4	29 16 4	- -
Queen's - - - - -	344 3 5	6 12 8	195 18 7	546 14 8	- 2 6	69 18 9	63 6 1	- -
Roscommon - - - - -	300 12 6	11 9 8	179 11 4	491 13 6	13 10 7	28 18 7	19 5 5	- -
Sligo - - - - -	412 6 9	18 - 8	122 6 5	552 13 10	2 1 6	106 6 -	46 5 10	- -
Tipperary - - - - -	1,032 13 3	42 8 -	507 11 6	1,582 12 9	58 8 1	338 9 4	49 13 1	- -
Tyrone - - - - -	794 6 9	75 16 4	215 17 -	1,086 - 1	4 8 -	162 14 6	178 3 10	- -
Waterford - - - - -	370 8 10	8 1 8	131 19 8	510 10 2	14 5 6	112 13 4	23 9 7	- -
Westmeath - - - - -	216 9 10	9 1 4	108 15 2	334 6 4	12 17 6	35 - 8	18 12 4	- -
Wexford - - - - -	308 10 -	8 7 3	162 3 3	479 - 6	4 3 -	43 1 7	17 4 3	- -
Wicklow - - - - -	512 4 3	10 18 7	176 8 -	699 10 10	- - -	107 17 11	88 3 3	- -
	22,881 16 11	904 17 8	7,694 2 5	31,480 17 -	1,212 10 10	5,853 6 3	2,220 5 -	138 - -
Dublin Police Offices - - -	4,180 15 8	- - -	473 11 2	4,654 6 10	- - -	1,386 6 8	162 3 1	- -
£.	27,062 12 7	904 17 8	8,167 13 7	36,135 3 10	1,212 10 10	7,239 12 11	2,382 8 1	138 - -

II.—ABSTRACT in which the AMOUNTS imposed, &c., at the SUPERIOR COURTS, QUARTER SESSIONS,

Superior Courts, Dublin, and As- sises throughout Ireland.	344 10 -	- - -	- - -	344 10 -	147 15 -	- - -	73 - -	34 - -
Quarter Sessions - - -	631 3 6	- - -	2 10 -	633 13 6	399 - -	15 - -	26 - -	104 - -
Petty Sessions - - -	21,906 3 5	904 17 8	7,691 12 5	30,502 13 6	665 15 10	5,838 6 3	2,121 5 -	- -
£.	22,881 16 11	904 17 8	7,694 2 5	31,480 17 -	1,212 10 10	5,853 6 3	2,220 5 -	138 - -

I R E L A N D.

for under the Act 14 & 15 Vict. c. 90, for the Year ending 31st December 1865.

Note.—From One Petty Sessions the Returns are deficient for the above Year.

AMOUNT PAID.			APPLICATION OF AMOUNT PAID.					Balances chargeable against Officers of Courts.	REMARKS.
Paid in account of Fines, &c., imposed during the above Period.	Paid during above Period on account of Arrears.	Total Paid.	To Treasurers of Boroughs and Private Parties.	To Constabulary for Reward Fund.	To any Parties as Costs.	For Postage and Money Orders.	Lodged in Bank of Ireland.		
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
3,337 4 7	80 4 8	3,417 9 3	2,033 15 1	93 8 10	554 15 2	2 6 11	733 3 3	—	
631 - 10	- 16 6	631 17 4	162 14 7	59 17 -	170 - 2	- 12 11	238 12 8	—	
186 5 10	- 6 6	186 12 4	29 16 6	7 7 10	65 7 8	- 4 3	69 7 7	14 8 6	
427 11 4	4 2 -	431 13 4	43 5 6	35 12 1	127 11 10	1 16 5	220 7 6	—	
510 - 5	5 12 -	515 12 5	41 2 11	49 10 11	222 12 4	1 5 9	201 - 6	—	
984 3 5	16 - 7	2,910 4 -	755 19 5	177 2 4	966 14 1	3 19 8	1,006 8 6	—	
701 3 1	13 4 6	714 7 7	90 9 6	80 19 8	199 17 5	4 9 -	338 12 -	—	
909 4 10	10 9 11	1,109 14 9	134 14 4	57 17 7	309 9 11	2 8 1	605 4 10	—	
449 7 3	- -	449 7 3	28 2 11	12 3 1	121 1 1	1 4 7	233 15 9	52 19 10	
372 6 -	6 - 6	378 6 6	72 15 1	46 5 11	79 14 -	- 18 1	178 13 5	—	
859 11 5	13 7 4	872 18 9	112 10 7	29 7 7	329 14 9	2 4 2	399 1 8	—	
758 14 7	15 6 2	774 - 9	137 2 8	85 10 5	237 5 4	1 15 5	312 6 11	—	
449 - 10	- 16 10	449 17 8	21 15 1	28 16 9	159 15 11	- 16 11	238 13 -	—	
460 11 4	3 16 -	464 7 4	30 2 7	31 18 6	143 16 8	1 1 5	252 8 2	—	
371 16 11	3 2 -	374 18 11	36 14 4	37 10 9	136 14 7	- 18 1	163 1 2	—	
303 10 9	2 3 6	305 14 3	23 12 2	42 6 4	112 3 7	- 19 11	126 12 3	—	
072 9 3	7 11 8	1,080 - 11	91 6 10	58 8 7	389 12 3	1 10 9	539 2 6	—	
645 - -	8 5 -	653 5 -	266 5 8	31 19 2	164 19 4	1 2 11	188 17 11	—	
198 13 -	10 2 2	208 15 2	13 12 10	28 2 3	69 16 2	- 5 6	96 18 5	—	
260 8 7	- 10 6	260 19 1	52 10 4	21 4 6	74 - -	- 4 4	112 19 11	—	
584 15 2	15 13 7	600 8 9	72 1 1	54 4 8	209 14 8	1 13 7	262 14 9	—	
485 9 3	2 16 6	488 5 9	20 15 -	23 2 2	161 14 3	1 7 2	281 7 2	—	
334 4 7	4 9 6	338 14 1	29 7 2	47 13 1	106 15 8	- 15 6	154 2 8	—	
413 7 4	3 9 7	416 16 11	29 7 4	41 2 5	169 18 4	1 2 4	175 6 6	—	
429 18 11	23 16 6	453 15 5	34 1 8	32 9 9	170 - 10	2 6 1	214 17 1	—	
398 - 6	3 15 -	401 15 6	69 17 9	36 17 11	112 5 11	- 14 1	181 19 10	—	
136 2 3	5 4 2	1,141 6 5	104 8 9	98 15 10	409 8 3	1 12 6	527 1 1	—	
740 13 9	1 7 8	742 1 5	134 5 9	91 12 7	178 14 8	2 11 -	332 5 5	2 12 -	
360 1 9	11 - 10	371 2 7	31 14 2	40 9 9	110 13 6	- 19 10	183 1 6	4 3 10	
267 15 10	1 - 4	268 16 2	21 13 6	10 14 3	102 12 4	1 - 2	132 15 11	—	
414 11 8	2 19 6	417 11 2	43 9 4	47 3 4	151 18 1	- 10 9	174 9 8	—	
503 9 8	7 15 6	511 5 2	20 7 2	- -	148 3 9	1 8 6	341 5 9	—	
3,056 14 11	285 7 -	22,342 1 11	4,789 17 7	1,539 15 10	6,672 2 6	46 6 7	9,219 15 3*	74 4 2	*To credit of Receiver of Constabulary.
3,105 17 1	10 14 6	3,116 11 7	335 16 10	- -	- -	- -	2,780 14 9†	- -	†To credit of Receiver of Metropolitan Police.
5,162 12 -	296 1 6	25,458 13 6	5,125 14 5	1,539 15 10	6,672 2 6	46 6 7	12,000 10 -	74 4 2	

and PETTY SESSIONS as above (excluding Dublin Police Offices), are set forth respectively.

89 15 -	- -	89 15 -	15 - -	- -	- -	1 - -	73 15 -	—	
89 13 6	- 18 10 -	108 3 6	9 - -	- -	2 10 -	- 2 10	96 10 8	—	
1,577 6 5	266 17 -	22,144 3 5	4,765 17 7	1,539 15 10	6,669 12 6	45 3 9	9,049 9 7	74 4 2	
2,056 14 11	285 7 -	22,342 1 11	4,789 17 7	1,539 15 10	6,672 2 6	46 6 7	9,212 15 3	74 4 2	

III. ABSTRACT of ACCOUNTS rendered by CONSTABULARY RECEIVER, of all PENALTIES ACCOUNT, for the

DEBIT.	£.	s.	d.	£.	s.	d.
To Balance on foot of Abstract, ending 31st December 1864 -	-	-	-	76,409	7	1
To Amount as per preceding Abstract, No. 1 - - -	9,219	15	3			
To Amount recovered out of Balances due by Officers of Courts from former years - - - - - }	2	8	7			
To Amount of Jurors' Fines lodged by Sheriffs - - -	16	13	4			
	9,238	17	2			
Add,—Amount lodged in Bank in 1865, on account of Fines imposed prior to that year - - - - }	2,504	11	5			
	11,743	8	7			
Deduct,—Amount lodged subsequently to 1865, on account of Fines, &c. imposed in the year 1865 - }	2,665	9	6			
				9,077	19	1
To Amount lodged in Bank, being Dividends (for three half years) on Government Stock invested in the "Fines Act Investment Fund" - - - - }				*2,976	3	3
To Amount lodged in Bank, being three half yearly Dividends on the Government Stock invested in the "Petty Sessions Clerks Act Investment Fund" - - - - - }				*607	12	-
* In 1864 only one half-yearly Dividend was drawn, owing to the death of the Receiver of Constabulary.						
	£.			89,071	1	5

IV. ABSTRACT of ACCOUNTS rendered by RECEIVER of the DUBLIN the DUBLIN FINES and PENALTIES ACCOUNT,

	£.	s.	d.	£.	s.	d.
To Balance on foot of Abstract, ending 31st December 1864 -	-	-	-	823	12	2
To Amount as per preceding Abstract, No. 1 - - - - -	2,780	14	9			
Add,—Amount lodged in 1865 on account of Fines imposed in 1864 - - - - - }	55	10	6			
	2,836	5	3			
Deduct,—Amount lodged subsequently to 1865, on account of Fines imposed in 1865 - - - - - }	44	17	2			
				2,791	8	1
	£.			3,615	-	3

Approved,

Mayo, Chief Secretary.

17 March 1868.

FINES AND PENALTIES (IRELAND).

IRELAND.

AN ABSTRACT of the ACCOUNTS of all FINES and other PENAL SUMS accounted for under the Act 14 & 15 Vict. c. 90, for each of the Years ending 31st December 1864 and 1865.

(Presented pursuant to Act of Parliament)

*Ordered, by The House of Commons, to be Printed,
18 March 1868.*

LAW COSTS (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 18 May 1868;—for,

RETURN “of the SUMS Paid for LAW COSTS, SALARIES, TRAVELLING, and all other EXPENSES Incidental to the LEGAL BUSINESS in *Ireland* of the CUSTOMS and MERCHANT SHIPPING DEPARTMENT of the BOARD of TRADE, since the Removal from *Ireland* of the late Solicitor to the Board of Customs, distinguishing the Costs, Salaries, and other Expenses incurred for the Customs from those incurred for the Board of Trade.”

From November 1849, the Date of Removal of the late Solicitor from *Ireland*,
to May 1868.

—	Law Costs.	Salaries.	Travelling Charges.	Other Expenses.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
CUSTOMS - -	6,451 9 8	4,300 - -	878 12 6	736 15 3	12,366 17 5
BOARD OF TRADE -	1,259 17 8	- -	1,089 9 3	39 2 9	2,388 9 8
TOTAL - £.	7,711 7 4	4,300 - -	1,968 1 9	775 18 -	14,755 7 1

P.S.—The above expenses have been paid since the removal of the Assistant Solicitor from Dublin, but the greater proportion thereof would have been incurred whether an Assistant Solicitor was stationed at Dublin or not.

Office of Controller General, }
Customs, London, 17 June 1868. }

H. W. Dobell.

LAW COSTS (IRELAND).

RETURN of the Sums Paid for LAW COSTS, SALARIES TRAVELING, and all other EXPENSES INCIDENTAL to the LEGAL BUSINESS in *Ireland* of the CUSTOMS and MERCHANT SHIPPING DEPARTMENT of the BOARD OF TRADE, since the Removal from *Ireland* of the late Solicitor to the Board of Customs, distinguishing the COSTS, SALARIES, and other EXPENSES INCURRED for the CUSTOMS from those incurred for the Board of Trade.

(*Mr. George Morris.*)

*Ordered, by The House of Commons, to be Printed,
23 June 1868.*

RECORD OF TITLE, &c. (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 4 May 1868;—for,

RETURNS “of the Number of TITLES now Registered or Recorded under separate Folios of the RECORD of TITLE, pursuant to the Act 28 & 29 Vict. c. 88, and also of the VALUE of the ESTATES so Recorded, and the Estimated Amount of MORTGAGES and CHARGES Recorded as affecting these Estates, distinguished as follows :—

YEAR.	Number of Titles Recorded.	Value of Estates so Recorded.	Estimated Amount of Mortgages, &c., Registered against all the foregoing Property.
From commencement of Act to 31st December 1866.			
From 1st January to 31st December 1867.			
From 1st January to 30th April 1868.			

“Of the Number of former CONVEYANCES of the INCUMBERED or LANDED ESTATES COURTS which have been Recorded, pursuant to the 51st Section of the aforesaid Act, and which are included in the foregoing Enumeration, and the Number of such Conveyances which, although ordered to be Recorded under said Section, have not yet been actually Recorded, with the Real or Estimated Value of the Estates comprised under such Conveyances :—

	Number of Conveyances.	Real or Estimated Value.
Conveyances actually recorded - -		
Recording ordered, but not yet completed.		

“And, of the Number of CERTIFICATES granted by the Court for the Issue of DEBENTURES under ‘The Land Debenture Act (Ireland), 1865,’ the 28 & 29 Vict. c. 101; and the Number of DEBENTURES actually Issued.”

(*Mr. Pim.*)

Ordered, by The House of Commons, to be Printed,
15 May 1868.

— No. 1. —

RETURN of the Number of TITLES now Registered or Recorded, under separate Folios of the RECORD of TITLE, pursuant to the Act 28 & 29 Vict. c. 88, and also of the VALUE of the ESTATES so Recorded, and the Estimated Amount of MORTGAGES and CHARGES Recorded as affecting them.

Y E A R.	Number of Titles Recorded.	Value of Estates so Recorded:	Amount of Mortgages and Charges Registered against them during Periods aforesaid.
		£. s. d.	£. s. s.
From commencement of Act to 31st December 1866.	115	295,507 - -	29,880 - -
From 1st January to 31st December 1867	110	395,159 15 -	35,755 11 11
From 1st January to 30th April 1868	43	205,190 5 -	32,500 - -
TOTAL	268	895,857 - -	98,135 11 11

— No. 2. —

RETURN of the Number of former CONVEYANCES of the INCUMBERED or LANDED ESTATES COURTS Recorded, pursuant to the 51st Section of the aforesaid Act, and included in the foregoing Enumeration; and Conveyances which, although ordered to be Recorded under said Section, have not yet been actually Recorded, with the Real or Estimated Value of the Estates.

	Number of Conveyances.	Real or Estimated Value.
		£. s. d.
Conveyances actually recorded - - - -	46 (comprised in 42 folios of the Record of Title).	206,510 - - (included in the above Total).
Recording ordered, but not yet completed - - - -	18	141,000 - - (not included above).

Note.—According to the Schedule of Fees, the fee payable on bringing under the operation of the Act, lands held under former conveyances of the Courts, was very small up to the end of 1867. It is now 10 s. for 100 l. of value. The result is, that fewer applications to record former conveyances are now made.

No fee is payable on the recording of any conveyance now made by the Court.

— No. 3. —

RETURN of the Number of CERTIFICATES granted by the Court for the Issue of DEBENTURES under "The Land Debenture Act (Ireland), 1865," the 28 & 29 Vict. c. 101; and the Number of DEBENTURES actually Issued.

One Certificate has been granted by the Court for the issue of Debentures under the Land Debentures Act, but no Debentures have been actually issued under that Act.

Note.—Several certificates of charge have been issued under sects. 18 and 22 of the Record of Title Act, which have some of the qualities of debentures on land.

R. Denny Urlin,
Principal Officer of the Record of Title,
L. E. C., Dublin.

11 May 1868.

RECORD OF TITLE, &c. (IRELAND).

RETURNS of the Number of TITLES now Registered or Recorded, under separate Folios of the Record of TITLE, pursuant to the Act 28 & 29 Vict. c. 88, and also of the VALUE of the ESTATES so Recorded, and the Estimated Amount of MORTGAGES and CHARGES Recorded as affecting these Estates; of the Number of former CONVEYANCES of the INCUMBERED or LANDED ESTATES COURTS which have been Recorded; &c.

(*Mr. Pinu.*)

*Ordered, by The House of Commons, to be Printed,
15 May 1868.*

REGISTRY OF DEEDS (DUBLIN).

RETURN to an Order of the Honourable The House of Commons,
dated 1 April 1868;—for,

RETURNS “giving the Amount of FEES Received in the REGISTRY of DEEDS OFFICE, DUBLIN, in each Year from the 1st day of January 1862 to the 31st day of December 1867 (since the Passing of the Act 27 & 28 Vict. c. 76, the Fees of the Office being Received in Stamps), and the Amount of DUTY STAMPS Used in the same Office in each Year for the same Period, and to which all MEMORIALS, AFFIDAVITS, COPIES, and SEARCHES were Liable; also for all CERTIFICATES given from this Office:”

“Giving the EXPENDITURE of the REGISTRY of DEEDS OFFICE, DUBLIN, in each Year from the 1st day of January 1862 to the 31st day of December 1867, and Balances of Surplus at that Day and at Present:”

“Showing the Number of MEMORIALS of DEEDS, &c. Registered in the REGISTRY of DEEDS OFFICE, DUBLIN, in each Year from the 1st day of January 1862 to the 31st day of December 1867:”

“Showing the Number of CONVEYANCES, DECLARATIONS of TITLE, &c. under the Seal of the Landed Estates Court, Registered in Pursuance of and under the Authority of the Act 22 Vict. intituled, ‘An Act to Facilitate the Sale and Transfer of Land in Ireland,’ specifying the Gross Amount of the Consideration Money as set forth in such Instruments in each Year for the Same Period:”

“Showing the Number of MEMORIALS of ‘RECORDED OWNERSHIP,’ pursuant to the Record of Titles Act 28 and 29 Vict. c. 88, Registered in each Year since the passing of said Act:”

“Showing the Number of NEGATIVE SEARCHES Lodged in each Year from the 1st day of January 1862 to the 31st day of December 1867:”

“Showing the Number of COMMON SEARCHES Lodged in each Year for same Period:”

“Showing the Number of SEARCH DOCKETS Issued to the Public in each Year for same Period:”

“Showing the Number of ATTESTED COPIES of MEMORIALS Ordered in each Year for same Period:”

“Showing the Number of ATTESTED COPIES of NEGATIVE SEARCHES Ordered in each Year for same Period:”

“And, showing the state of all NEGATIVE and COMMON SEARCHES on the 31st day of January 1868, which were Lodged in the REGISTRY of DEEDS OFFICE, DUBLIN, on or before the 31st day of December 1867; also Number of Certificates given.”

(General Dunne.)

Ordered, by The House of Commons, to be Printed,
8 May 1868.

RETURNS giving the Amount of FEES received in the REGISTRY of DEEDS OFFICE, DUBLIN, in each 27 & 28 Vict. c. 76, the Fees of the Office being received in Stamps), and the Amount of DUTY STAMPS COPIES, and SEARCHES were Liable, also for all CERTIFICATES given from this Office; giving the 1862 to the 31st day of December 1867, and Balances of Surplus at that Day and at Present; showing the in each Year from the 1st day of January 1862 to the 31st day of December 1867; showing the registered in Pursuance of and under the Authority of the Act 22 Vict., intituled, "An Act to Facilitate the forth in such Instruments in each Year for the same Period; showing the Number of MEMORIALS of since the passing of said Act; showing the Number of NEGATIVE SEARCHES Lodged in each Year from the Lodged in each Year for same Period; showing the Number of SEARCH DOCKETS Issued to the Public Year for same Period; showing the Number of ATTESTED COPIES of NEGATIVE SEARCHES Ordered in day of January 1868 which were Lodged in the REGISTRY of DEEDS OFFICE, DUBLIN, on or before the

Y E A R.	Amount of Fees Received, Year ending 31 March.	Amount Received by Inland Revenue for General Duty Stamps on Memorials, Affidavits, Certificates, Copies and Searches, Year ending 31 December.	*Expenditure, Year ending 31 March.	Number of Memorials, Deeds, &c. Registered, Year ending 31 December.	Number of Conveyances, Declarations of Title, &c. under Seal of the Landed Estates Court Registered, Year ending 31 December.
	£. s. d.	£. s. d.	£. s. d.		
1862 - - -	12,581 9 3	4,661 14 -	12,114 - 9	12,501	671
1863 - - -	12,695 19 1	4,577 5 -	12,662 7 3	12,247	547
1864 - - -	12,612 9 5	4,674 8 -	12,234 18 -	11,888	534
1865 - - -	13,144 2 -	4,203 17 -	12,267 16 11	10,926	572
1866 - - -	11,006 18 3	4,075 15 -	12,285 1 1	10,838	543
1867 - - -	11,571 - 7	4,274 10 -	12,912 11 10	11,708	633
TOTALS - - £.	73,611 18 7	26,467 9 -	74,476 15 10	70,108	3,500

* Since the passing of the Act 27 & 28 Vict. c. 76, the Stationery Office has provided for the Stationery and Bookbinding required for this Department.

The Amount of the Surplus Fees lodged in Bank of Ireland to the credit of the Consolidated Fund :	£. s. d.
From 31st May 1830 to 31st December 1861, was - - - - -	40,913 10 5
From 1st January 1862 to 31st December 1867, was - - - - -	1,300 4 6
Total Amount of the Surplus Fees lodged to the credit of the Consolidated Fund - - - £.	42,213 14 11

Registry of Deeds Office, Ireland, }
2 May 1868.

Year from the 1st day of January 1862 to the 31st day of December 1867 (since the passing of the Act used in the same Office in each Year for the same Period, and to which all MEMORIALS, AFFIDAVITS, EXPENDITURE of the REGISTRY of DEEDS OFFICE, DUBLIN, in each Year from the 1st day of January Number of MEMORIALS of DEEDS, &c. Registered in the REGISTRY of DEEDS OFFICE, DUBLIN, Number of CONVEYANCES, DECLARATIONS of TITLE, &c., under the Seal of the Landed Estates Court, Sale and Transfer of Land in Ireland," specifying the Gross Amount of the Consideration Money as set RECORDED OWNERSHIP pursuant to the Record of Titles Act, 28 & 29 Vict. c. 88, Registered in each Year 1st day of January 1862 to the 31st day of December 1867 ; showing the Number of COMMON SEARCHES in each Year for same Period ; showing the Number of ATTESTED COPIES of MEMORIALS Ordered in each each Year for same Period ; and, showing the state of all NEGATIVE and COMMON SEARCHES on the 31st 31st day of December 1867 ; also Number of Certificates given.

Gross Amount of the Consideration Money set forth in such Conveyances by the Landed Estates Court, Year ending 31 December.	Number of Memorials of Recorded Ownership pursuant to the Record of Titles Act, 28 & 29 Vict. c. 88, Registered, Year ending 31 December.	Number of Negative Searches Lodged, Year ending 31 December.	Number of Common Searches Lodged, Year ending 31 December.	Number of Search Dockets Issued to the Public, Year ending 31 December.	Number of Attested Copies of Memorials Ordered, Year ending 31 December.	Number of Attested Copies of Negative Searches Ordered, Year ending 31 December.
£.						
1,515,542	- -	1,019	673	6,440	1,683	32
1,383,702	- -	1,091	669	6,504	1,657	32
1,186,347	- -	1,044	685	6,064	1,615	44
1,150,184	- -	1,045	668	5,589	1,339	55
983,485	97	1,090	788	5,544	1,501	64
1,158,532	111	1,107	856	5,480	1,352	51
7,377,792	208	6,396	4,339	35,621	9,147	278

All Negative and Common Searches which were lodged on or before the 31st December 1867 were made, and ready for inspection, or delivery, on or before the 31st January 1868. The number of Certificates given correspond with the number of Deeds and Counterparts registered, and the number of Negative Searches issued from the office. Persons lodging Requisitions for Searches may limit or extend the search and certificate to one or several names of persons, or to any particular period in respect of each name, or to one or several denominations of land.

Morgan O'Connell, Registrar.

REGISTRY OF DEEDS (DUBLIN).

RETURNS giving the Amount of Fees received in the Registry of Deeds Office, DUBLIN, in each Year from 1 January 1862 to 31 December 1867 (since the passing of the 27 & 28 Vict. c. 76, the Fees of the Office being received in Stamps), and the Amount of DUTY STAMPS used in the same Office in each Year for the same Period, and to which all MEMORIALS, AFFIDAVITS, COPIES, and SEARCHES were Liab^{le}, also for all CERTIFICATES given from the Office, &c.

(General Dunne.)

*Ordered, by The House of Commons, to be Printed,
8 May 1868.*

321

WRITS OF ERROR.

RETURN to an Order of the Honourable The House of Commons,
dated 18 June 1868 ;—for,

COPIES “of all MEMORIALS or PETITIONS forwarded to the Lord Lieutenant or Lords Justices of *Ireland*, relating to the granting of a WRIT of ERROR in the case of the Queen *v.* Pigott, and of the replies returned thereto:”

“Of the PETITION presented to the Lord Chancellor of *Ireland*, praying him to direct a WRIT of ERROR to issue in the case of the Queen *v.* Pigott, and of the RULE of the Lord Chancellor made thereon:”

“Of the RESOLUTION of this House passed on the 19th day of November 1689, relating to the granting of Writs of Error in Criminal Cases:”

“And, of the RESOLUTION passed by the House of Lords on the same subject on the 27th day of February 1704.”

(*Sir Colman O’Loghlen.*)

Ordered, by The House of Commons, to be Printed,
1 July 1868.

SCHEDULE.

No.	Page.
1. Memorial of R. Pigot to the Lord Lieutenant - - - - -	3
2. Under Secretary to Mr. Lawless, Solicitor, in reply to said Memorial - -	3
3. Further Memorial of R. Pigot to the Lord Lieutenant - - - - -	4
4. Under Secretary to Mr. Lawless, in reply to said further Memorial - -	5
5. Memorial of R. Pigot to the Lord Chancellor - - - - -	6
6. Rule made by the Lord Chancellor on said Memorial - - - - -	8
7. Resolution of the House of Commons, 19th November 1689 - - - - -	9
8. Resolution of the House of Lords, 27th February 1704 - - - - -	9

COPIES of MEMORIALS to the Lord Lieutenant and Lord Chancellor of *Ireland*, praying for the issue of a WRIT of ERROR in the case of "*The Queen v. Pigot*," together with COPIES of REPLIES thereto, and EXTRACTS from the JOURNALS of both HOUSES of PARLIAMENT relating to the granting of such Writs.

— No. 1. —

MEMORIAL of *R. Pigot* to the Lord Lieutenant.

To His Excellency the Most Noble the Marquis of Abercorn, Lord Lieutenant General and General Governor of Ireland.

The humble Memorial of Richard Pigot, now a prisoner in Richmond Bridewell,

Showeth,

THAT on Wednesday the 19th day of February last, your Memorialist was convicted at the late Commission for the County of Dublin, upon an indictment charging him with sedition, and sentenced to 12 months' imprisonment.

That your Memorialist is advised there is error in the proceedings of his said conviction, and that the judgment so given against him is erroneous, and would be reversed on writ of error.

That your Memorialist is desirous of suing out such writ of error, and prays same may be allowed.

(signed) *Richard Pigot.*

We certify, that in our opinion, there are reasonable grounds for suing out the writ of error sought for in the above Memorial, and we are of opinion that upon such writ of error the judgment ought to be reversed.

(signed) *Isaac Butt.*
D. C. Heron.
Constantine Molloy.

— No. 2 —

The Under Secretary to Mr. *Lawless*.

Sir,

Dublin Castle, 13 May 1868.

WITH reference to the Memorial of Mr. Richard Pigot, forwarded by you, praying for the issue of a writ of error in his case, I am directed by the Lord Lieutenant to acquaint you that the Attorney General is of opinion that no grounds appear to exist for granting the writ sought for.

I am, &c.

J. W. Lawless, Esq., Solicitor,
6, Upper Ormond Quay.

(signed) *Thos. A. Larcom.*

— No. 3. —

Further MEMORIAL of *R. Pigot* to the Lord Lieutenant.

To His Excellency the Lord Lieutenant General and General Governor of Ireland.

The humble Memorial of Richard Pigot, now a Prisoner in Richmond Bridewell,

Showeth,

THAT on Wednesday the 19th day of February last your Memorialist was convicted at a commission of oyer and terminer of the county of Dublin, held before the Right Honourable John David Fitzgerald, and the Right Honourable Richard Deasy, upon an indictment charging him with the publication of seditious libels, and was sentenced to an imprisonment of 12 months, which he is now undergoing.

That your Memorialist, having been advised that his said conviction was erroneous, has obtained, upon application to the Clerk of the Crown for the county of Dublin, a copy of the record of Memorialist's conviction, and Memorialist transmits, together with this Memorial, a copy of this document, which he prays may be taken as part of this his Memorial.

That your Memorialist, on submitting such record of his conviction to counsel learned in the law for their advice, is advised by them that it appears by such record that the conviction is erroneous, and would be reversed upon writ of error.

That among other errors manifestly appearing upon the record of the conviction, your Memorialist is advised that the following are sufficient to entitle your Memorialist to reverse such conviction:—

1st. It does not appear by the said record that the said indictment was found against your Memorialist, as required by law, on the oath of the grand jurors finding same, or on the affirmation of grand jurors entitled by law to make affirmation instead of an oath, the grand jurors presenting same upon their oath and affirmation, and the caption of the indictment not showing which of such grand jurors were affirmed, or that any of them were by law capable of being affirmed instead of being sworn.

2nd. Your Memorialist was convicted in one indictment of the publication of 16 separate counts (being acquitted upon one of the counts of said indictment), and a separate and distinct judgment of imprisonment appears by the record to have been entered on each count, and in each of such judgments there is included a separate direction that your Memorialist should enter into a recognizance, with sureties in the sum of 250 £. each, conditioned that he will be of good behaviour for two years, or in default thereof be imprisoned for a further period of six months.

Your Memorialist is advised that the legal effect of such judgment is to direct your Memorialist to enter into 16 separate recognizances, with two sureties in each, each in the sum of 250 £., making in all the sum of 4,000 £.

Your Memorialist submits that the requiring of so many recognizances, and to such an amount, is unwarrantable and unjust.

Your Memorialist is advised that upon one indictment the Court before whom he was convicted had no power to direct him to enter into more than one recognizance, and that the judgment requiring 16 recognizances is erroneous and void.

He is advised that the whole judgment is erroneous in leaving it doubtful whether he is to enter into 16 recognizances or one.

3rd. Each of said judgments ordering your Memorialist to enter into a recognizance is erroneous, and not warranted by law, inasmuch as it requires your Memorialist to enter into such recognizance at or before the expiration of his 12 months' imprisonment, and in default of his so doing, sentences him absolutely to a further term of six months' imprisonment.

Your Memorialist is advised, that according to such judgment, if your Memorialist omitted to enter into such recognizance before or immediately upon the expiration of his 12 months' imprisonment, he would have no power to enter into

into such recognizance at any future time, so as to terminate his imprisonment during the six months; and your Memorialist is further advised, that such sentence of absolute imprisonment in default of entering into recognizances is erroneous, and not warranted by law.

4th. Each of the first nine counts of the indictment charge upon your Memorialist publishing the matters therein alleged in support and aid of a treasonable movement then actually on foot. Your Memorialist is advised that such charge, if at all sustainable in law, amounts to a charge of an overt act of treason, and is in law incapable of being made the subject of prosecution as a seditious libel, and that the judgment upon each of those nine counts is therefore erroneous; and your Memorialist submits that this objection is not a mere technical objection, but one vitally affecting the merits of his trial; that the insertion in the indictment of such charges of treasonable motives was calculated unjustly to prejudice your Memorialist, and tended to distract the jury, and to confound the different species of offences known to the law, and also to substitute a speculation into the supposed motives of publishing any article for the inquiry into the intention of that article, as it was to be collected from the article itself.

5th. That the tenth count improperly enlarges the meaning of the alleged libel by inuendoes not warranted by any prefatory inducement, especially by averring in an inuendo that the men referred to in the alleged libel had been executed without any prefatory averment showing same.

6th. The 11th, 12th, 13th, 15th, and 16th counts set out matter which does not amount in law to a seditious libel, and especially the 13th and 16th counts improperly enlarge the sense of the words by inuendo, and do not show by any proper averments that the comments contained in the alleged libel were a libel upon Her Majesty's Royal Navy, or upon the administration of the laws of the kingdom as in the 16th count alleged.

7th. The 17th count improperly enlarges the meaning of the words in the inuendo.

Your Memorialist therefore prays, that your Excellency may be pleased to issue your Warrant for the making out of a writ of error to be directed to the justices and commissioners of oyer and terminer and gaol delivery for the county of Dublin aforesaid, to return the record of the conviction into Her Majesty's Court of Queen's Bench, in order that such errors may be examined, and that the judgment, if found erroneous, may be reversed.

R. Pigot.

We, the undersigned, hereby certify, that we have read the above Memorial to his Excellency the Lord Lieutenant; we are of opinion that there is reasonable and probable ground for suggesting the several errors adverted to in the above Memorial, and we are of opinion that upon a writ of error the judgment complained of ought to be reversed.

Isaac Butt.

D. C. Heron.

Constantine Molloy.

— No. 4. —

The Under Secretary to Mr. *Lawless*.

Sir,

Dublin Castle, 5 June 1868.

I AM directed by the Lords Justices to acknowledge the receipt of your letter of the 1st instant with its accompanying Memorial from Mr. Richard Pigot, a prisoner in the Richmond Bridewell, praying that a writ of error may be issued in his case; and I am to acquaint you, for the prisoner's information, that the Memorial in question, with the grounds of error therein mentioned, and counsel's certificate thereto annexed, and the record, having been laid before the Attorney General for his consideration, he has reported that in his opinion no error exists in the said record, and that there are not any probable grounds for the reversal of the judgment and conviction, and that, in his opinion, it would not be proper that their Excellencies should direct that such writ of error should issue, as is desired by the Memorialist.

Under these circumstances, therefore, their Excellencies must decline to comply with the prayer of the Memorial.

I am, &c.

(signed) *Thos. A. Larcom.*

J. Lawless, Esq., Solicitor, 6, Upper Ormond-quay.

— No. 5. —

MEMORIAL of *R. Pigot* to the Lord Chancellor.

To His Excellency the Right Honourable Abraham Brewster, Lord High Chancellor of Ireland.

The humble Petition of Richard Pigot, now a Prisoner in Richmond Bridewell,

Showeth,

THAT on Wednesday, the 19th day of February last, your Petitioner was found guilty at a commission of oyer and terminer for the county of Dublin, held before the Right Honourable John David FitzGerald, and the Right Honourable Rickard Deasy, upon an indictment charging him with the publication of seditious libels, and was sentenced to an imprisonment of 12 months, which he is now undergoing.

That your Petitioner being advised that his conviction was erroneous, addressed a Memorial to his Excellency the Lord Lieutenant of Ireland, praying that a writ of error might issue to remove the said conviction into the Court of Queen's Bench.

That, although such Memorial was presented on the 21st day of April last, no answer was returned until the 13th day of May following, when, by a letter addressed by the Under Secretary to John Lawless, Esq., your Petitioner's solicitor, he was informed that the writ of error would not be granted, and your Petitioner begs leave to refer to such letter.

That your Petitioner having presented a Petition to this Honourable Court to obtain such writ of error, a notice was served on your Petitioner, which bears date the 28th day of May last, accompanied by a copy of the report of the Attorney General to the Lord Lieutenant upon your Petitioner's Memorial.

That your Petitioner was, by such notice, for the first time informed that the Lord Lieutenant had been advised not to grant the writ of error, on the ground that no specific grounds of error had been pointed out either in the Memorial or in the certificate of counsel to same.

Your Petitioner craves leave to refer to such notice and to the copy of the report of the Attorney General accompanying same.

That your Petitioner's counsel being willing to comply with every requisition that could fairly be made upon your Petitioner withdrew his application to this Honourable Court, and presented a new Memorial to his Excellency on the 1st day of June instant, accompanied by the usual certificate of Petitioner's counsel.

That such Memorial and certificate of counsel were in the words and figures following :—

“To His Excellency the Lord Lieutenant General and General Governor of Ireland.

“The humble Memorial of Richard Pigot, now a Prisoner in Richmond Bridewell.

“Showeth,

“THAT on Wednesday, the 19th day of February last, your Memorialist was convicted at a commission of oyer and terminer of the county of Dublin, held before the Right Honourable John David FitzGerald, and the Right Honourable Rickard Deasy, upon an indictment charging him with the publication of seditious libels, and was sentenced to an imprisonment of 12 months, which he is now undergoing.

“That your Memorialist, having been advised that his said conviction was erroneous, has obtained, upon application to the clerk of the Crown for the county of Dublin, a copy of the record of the Memorialist's conviction, and Memorialist transmits, together with this Memorial, a copy of this document, which he prays may be taken as part of this his Memorial.

That

"That your Memorialist, on submitting such record of his conviction to counsel learned in the law for their advice, is advised by them that it appears by such record that the conviction is erroneous, and would be reversed upon writ of error.

"That among other errors manifestly appearing upon the record of the conviction, your Memorialist is advised that the following are sufficient to entitle your Memorialist to reverse such conviction :—

"1st. It does not appear by this said record that the said indictment was found against your Memorialist, as required by law on the oath of the grand jurors finding same, or on the affirmation of grand jurors entitled by law to make affirmation instead of an oath, the grand jurors presenting same upon their oath and affirmation, and the caption of the indictment not showing which of such grand jurors were affirmed, or that any of them were by law capable of being affirmed, instead of being sworn.

"2nd. Your Memorialist was convicted in one indictment of the publication of 16 separate counts (being acquitted upon one of the counts of said indictment), and a separate and distinct judgment of imprisonment appears by the record to have been entered on each count, and on each of such judgments there is included a separate direction that your Memorialist should enter into a recognizance with sureties in the sum of 250 *l.* each; conditioned that he will be of good behaviour for two years, or in default thereof be imprisoned for a further period of six months. Your Memorialist is advised that the legal effect of such judgment is to direct your Memorialist to enter into 16 separate recognizances, with two sureties in each, each in the sum of 250 *l.*, making in all the sum of 4,000 *l.* Your Memorialist submits that the requiring of so many recognizances, and to such an amount, is unwarrantable and unjust. Your Memorialist is advised that upon one indictment the Court before whom he was convicted had no power to direct them to enter into more than one recognizance, and that the judgment requiring 16 recognizances is erroneous and void.

"He is advised that the whole judgment is erroneous, in leaving it doubtful whether he is to enter into 16 recognizances or one.

"3rd. Each of the said judgments ordering your Memorialist to enter into a recognizance is erroneous, and not warranted by law, inasmuch as it requires your Memorialist to enter into such recognizance at or before the expiration of his 12 months' imprisonment, and in default of his so doing, sentences him absolutely to a further term of six months' imprisonment.

"Your Memorialist is advised that, according to such judgment, if your Memorialist omitted to enter into such recognizance before, or immediately upon, the expiration of his 12 months' imprisonment, he would have no power to enter into such recognizance at any future time, so as to terminate his imprisonment during the six months; and your Memorialists further advised that such sentence of absolute imprisonment, in default of entering into recognizance, is erroneous and not warranted by law.

"4th. Each of the first nine counts of the indictment charge upon your Memorialist publishing the matters therein alleged in support and aid of a treasonable movement then actually on foot. Your Memorialist is advised that such charge, if at all sustainable in law, amounts to a charge of an overt act of treason, and is in law incapable of being made the subject of prosecution as a seditious libel, and that the judgment upon each of those nine counts is therefore erroneous; and your Memorialist submits that this objection is not a mere technical objection, but one vitally affecting the merits of his trial; that the insertion in this indictment of such charges of treasonable motives was calculated unjustly to prejudice your Memorialist, and tended to distract the jury, and to confound the different species of offences known to the law, and also to substitute a speculation into the supposed motives of publishing any article for the inquiry into the intention of that article, as it was to be collected from the article itself.

"5th. That the tenth count improperly enlarges the meaning of the alleged libel by innuendos not warranted by any prefatory inducement, especially by averring, in an innuendo, that the man referred to in the alleged libel had been executed without any prefatory averment showing the same.

"6th. The 11th, 12th, 13th, 15th, and 16th counts set out matter which does not amount in law to seditious libel, and especially the 13th and 16th counts improperly enlarge the sense of the words by innuendo, and do not show, by any proper averments, that the comments contained in the alleged libel upon Her Majesty's Royal Navy, or upon the administration of the laws of the kingdom, as in the 16th count alleged.

"7th. The 17th count improperly enlarges the meaning of the words in the innuendo.

"Your Memorialist therefore prays that your Excellency may be pleased to issue your warrant for the making out of a writ of error, to be directed to the justices and commissioners of oyer and terminer and gaol delivery for the county of Dublin aforesaid, to return the record of the conviction into Her Majesty's Court of Queen's Bench, in order that such errors may be examined, and that judgment, if found erroneous, may be revised.

"Richard Pigot."

"We, the undersigned, hereby certify that we have read the above Memorial to his Excellency the Lord Lieutenant. We are of opinion that there is reasonable and probable ground for suggesting the several errors adverted to in the above Memorial; and we are of opinion that, upon a writ of error, the judgment complained of ought to be reversed.

"Isaac Butt."

"D. C. Heron."

"Constantine Molloy."

That such Memorial has not been granted, and that in consequence of such refusal your Petitioner is unable to obtain such writ of error.

That the officer of this Honourable Court refuses to issue such writ without the warrant of the Lord Lieutenant or the Lords Justices.

That your Petitioner is advised that by the laws of this realm he is entitled, as a matter of right, to obtain a writ of error to reverse the said judgment, and that he is entitled to claim as of right the issue of such writ.

That while your Petitioner does not waive, but on the contrary humbly insists on his absolute right to obtain such writ, he further submits that he is, at all events, entitled as of right to obtain same upon showing reasonable and probable grounds of error.

That he has shown same by the certificate of counsel annexed to the Memorial.

That he has furthermore particularly and specifically shown same in the several matters pointed out as error in the memorial hereinbefore set forth, and lastly presented to his Excellency the Lord Lieutenant.

Your Petitioner humbly submits that the grounds of error therein set forth are sufficient to entitle him, as a matter of right, to obtain such writ, and he prays that said several matters may be taken as repeated herein, and as showing to this Honourable Court reasonable and probable ground for issuing such writ of error.

Your Petitioner submits to this Honourable Court the copy of the record of his conviction, which he has obtained from the Clerk of the Crown of the county of Dublin, and has annexed to this, his Petition, and which he prays may be taken as part of same.

Your Petitioner submits that such judgment is erroneous in the several respects hereinbefore specified, and also in other respects; and he humbly insists that, upon the face of the said record, grounds of error appear which are reasonable and probable cause for granting a writ of error.

Your Petitioner, if necessary, relies on all such matters appearing on said record as constituting such reasonable and probable cause; but he also claims such writ of error as a matter of right which, according to the law and constitution of the country, ought not be denied to him.

Petitioner craves leave to refer to his affidavit, filed in the proper office on the 21st May last.

May it therefore please your Lordship to order, That a writ of error do issue under the seal of this Honourable Court, directed to the said Right Honourable John David Fitzgerald and the Right Honourable Rickard Deasy, to return the record of the said conviction, and all the proceedings therein, into the Court of Queen's Bench, for the purpose of having the same inspected, and what of right and according to the custom of the realm ought to be done for the correcting of the said error.

John Lawless,
Solicitor for said Richard Pigot,
6, Upper Ormond-quay.

— No. 6. —

RULE made by the Lord Chancellor on the above Memorial.

Lord Chancellor.

Thursday, the 11th day of June 1868.

In the matter of Richard Pigot, a Prisoner under Sentence of Imprisonment in the Richmond Bridewell.

WHEREAS the said Richard Pigot did, on the 6th day of June instant, prefer his Petition to the Right Honourable the Lord High Chancellor of Ireland, setting forth and praying as therein is set forth; whereupon all persons concerned were ordered to attend before his Lordship, and thereof to have due notice; and Mr. Butt and another of counsel with said Petitioner, and Mr. Solicitor General and another of counsel instructed by the Crown and Treasury Solicitor, this day attending accordingly; upon debate of the matter and hearing,
the

the said Petition and order for hearing affidavit of Petitioner filed the 21st day of May 1868, as also notice of motion, dated the 8th day of June 1868, read, and what was alleged by said counsel, his Lordship doth make no rule on this application,

J. P. Ferguson.

— No. 7. —

EXTRACT from the Journals of the House of Commons, Vol. x., p. 289.

Martis, 19^o die Novembris (1689).

* * * * *

Resolved,

THAT the House doth agree with the Committee, that a writ of error for the reversal of a judgment in felony, or treason, is the right of the subject; and ought to be granted at his desire; and is not an act of grace or favour, which may be denied or granted at pleasure.

* * * * *

— No. 8. —

EXTRACT from the Journals of the House of Lords, Vol. xvii., p. 678.

Die Martis, 27^o Februarii (1704).

* * * * *

Resolved,

THAT a writ of error is not a writ of grace but of right; and ought not to be denied to the subject, when duly applied for, though at the request of either House of Parliament; the denial thereof being an obstruction of justice, contrary to Magna Charta.

* * * * *

WRITS OF ERROR.

COPIES of all MEMORIALS or PETITIONS forwarded to the Lord Lieutenant or Lords Justices of *Ireland*, relating to the granting of a Writ of Error in the Case of the Queen *v.* Pigot, and of the REPLEVIES returned thereto; of the PETITION presented to the Lord Chancellor of *Ireland*, praying him to direct a Writ of Error to issue in the Case of the Queen *v.* Pigot, and of the RULE of the Lord Chancellor made thereon; &c.

(*Sir Colman O'Loghlen.*)

Ordered, by The House of Commons, to be Printed,
1 July 1868.

COURT OF SESSION (SCOTLAND).

RETURNS of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland*, in each Year, between the 1st day of January 1862 and the 1st day of January 1867.

(Presented pursuant to Act of Parliament.)

*Ordered, by The House of Commons, to be Printed,
7 December 1867.*

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1862 and the 1st day of January 1863, showing the Number of Causes ready for Judgment but not disposed of at the last of these Dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.		Number of Causes at Avizandum.	OBSERVATIONS.
Lords Neaves and Ormidale - -	{ 14 } 142 { 128 }	34	{ 11 ⁽¹⁾ } 72 { 61 ⁽²⁾ }	10	11 July 1862	-	(¹) Lord Neaves was transferred from the Outer to the Inner House, 2nd Division, in February 1862, and was succeeded in the Outer House by Lord Ormidale.
Lords Ardmillan and Barcaple - -	{ 283 } 348 { 65 }	118	{ 150 ⁽³⁾ } 170 { 20 ⁽⁴⁾ }	64	28 Jan. "	2	(²) This Return does not include final judgments pronounced by Lord Ormidale in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions, &c., under the Statute 20 & 21 Vict. c. 56, previous to November, nor teind causes since that date.
Lord Mackenzie -	150	41	62	23	3 June "	3	(³) Lord Ardmillan was transferred from the Outer to the Inner House, 1st Division, in November 1862, and was succeeded in the Outer House by Lord Barcaple. (⁴) This Return of final judgments pronounced by Lord Barcaple does not include Bankruptcy and Bill Chamber cases, nor cases under the Act 20 & 21 Vict. c. 56. (⁵) This Return does not include final judgments pronounced in teind cases previous to November, nor Bankruptcy and Bill Chamber cases, nor cases under the Act 20 & 21 Vict. c. 56.
Lord Kinloch - -	246	58	115	22	12 June "	4	
Lord Jerviswoode -	181	40	92 ⁽⁵⁾	7	2 Dec. "	6	
TOTAL - - -	1,067	291	511	126	- -	15	

INNER HOUSE.

	Number of Reclaiming Notes presented against Judgments of Lords Ordinary in the course of the above Year.	Number of Incidental and Summary Applications presented during the said Period, distinguishing those which have passed as Matter of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment on Hearing Counsel, and otherwise, with the Date when the First of such Causes was so ready, and distinguishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
First Division - - -	161	Form - 316 Litigated - 72 388	164	Ordinary, 73, the first of which was so ready 14 March 1862. Besides the above there are six cases at avizandum and two before whole Court.	12	
Second Division - - -	113	Form - 314 Litigated - 55 369	110	Ordinary, 70, the first of which was so ready 14 February 1862. Besides the above there are three causes at avizandum.	6	

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1863 and the 1st day of January 1864, showing the Number of Causes ready for Judgment, but not disposed of at the last of these Dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.	Number of Causes at Avizandum.	OBSERVATIONS.
Lord Mackenzie -	130	33	86	26 12 May 1863	2	(¹) This Return does not include final judgments pronounced in teind cases.
Lord Kinloch -	318	64	123	16 12 Nov. "	2	(2) This Return does not include final judgments pronounced by Lord Barcaple in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions, &c., under the Statute 20 & 21 Vict. c. 56.
Lord Jerviswoode -	327	88	118	21 17 July "	3	
Lord Ormidale -	226	72	105(¹)	16 18 June "	1	
Lord Barcaple -	183	48	108(²)	32 27 Feb. "	1	
TOTAL - - -	1,184	305	540	111 - -	9	

INNER HOUSE.

	Number of Reclaiming Notes presented against Judgments of Lords Ordinary in the course of the above Year.	Number of Incidental and Summary Applications presented during the said Period, distinguishing those which have passed as Matters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment on Hearing Counsel, or otherwise, with the Date when the First of such Causes was so ready, and distinguishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
First Division - - -	212	Form - - 454 Litigated - 95 549	239	Ordinary, 106, the first of which was so ready 3 March 1863. Besides the above there are four causes at avizandum and two before whole Court.	14	
Second Division - - -	76	Form - - 229 Litigated - 42 271	130	Ordinary, 16, the first of which was so ready 4 June 1863. Besides the above there are four causes at avizandum and one before whole Court.	3	

Dun. McNeill, Lord President.

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1864 and the 1st day of January 1865, showing the Number of Causes ready for Judgment but not disposed of at the last of these Dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.		Number of Causes at Avizandum.	OBSERVATIONS.
Lord Mackenzie -	62	18	26 ⁽¹⁾	-	-	-	⁽¹⁾ Lord Mackenzie was absent, owing to ill-health, from and after the rising of the Court in March, and has since resigned.
Lord Kinloch -	360	106	129	28	24 Nov. 1864	2	
Lord Jerviswoode -	356	99	149	41	16 June "	3	⁽²⁾ Of the 104 final judgments pronounced by Lord Ormidale, 15 were in causes which had depended before Lord Mackenzie, but which, during his indisposition, were heard and decided by Lord Ormidale.
Lord Ormidale -	194	55	104 ⁽²⁾	30	30 June "	-	
Lord Barcaple -	235	66	117 ⁽³⁾	16	6 July "	2	⁽³⁾ This Return does not include final judgments pronounced by Lord Barcaple in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions, &c., under the Statute 20 & 21 Vict. c. 56.
TOTAL - - -	1,207	344	525	115	- -	7	

INNER HOUSE.

—	Number of Reclaiming Notes pre- sented against Judgments of Lords Ordinary in the course of the above Year.	Number of Inci- dental and Sum- mary Applica- tions presented during the said Period, distin- guishing those which have passed as Mat- ters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment on Hearing Counsel, and otherwise, with the Date when the First of such Causes was so ready, and dis- tinguishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
First Division -	209	Form - 469 Litigated - 136 — 605 —	237	Ordinary, 57, the first of which was so ready 21 June 1864. Besides the above there are six cases at avizandum.	16	⁽¹⁾ Of the 130 reclaiming notes, 58 were re-claiming notes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56. ⁽²⁾ Of the 81 litigated causes, 32 were causes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56.
Second Division -	130 ⁽¹⁾	Form - 244 Litigated - 81 ⁽²⁾ — 325 —	159	Ordinary, 22, the first of which was so ready 24 June 1864.	5	

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1865 and the 1st day of January 1866, showing the Number of Causes ready for Judgment but not disposed of at the last of these Dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.		Number of Causes at Avizandum.	OBSERVATIONS.
Lord Kinloch - -	230	49	158	22	21 June 1865	3	(') This Return does not include final judgments pronounced by Lord Mure in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions, &c., under the Statute 20 & 21 Vict. c. 56.
Lord Jerviswoode -	260	74	155	25	25 June "	4	
Lord Ormidale -	220	48	119	7	18 Nov. "	1	
Lord Barcaple - -	279	71	124	39	31 May "	-	
Lord Mure - -	123	31	24(')	4	18 Nov. "	3	
TOTAL - - -	1,112	273	580	97	- -	11	

INNER HOUSE.

—	Number of Reclaimig Notes pre- sented against Judgments of Lords Ordinary in the course of the above Year.	Number of Inci- dental and Sum- mary Applica- tions presented during the said Period, distin- guishing those which have passed as Mat- ters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment on Hearing Counsel, and otherwise, with the Date when the First of such Causes was so ready, and dis- tinguishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
First Division -	211	Form - 465 Litigated - 114 579	222	Ordinary, 71, the first of which was so ready 1 July 1865. Besides the above there are four causes at avizandum.	22	(¹) Of the 137 reclaiming notes, 42 were re- claiming notes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56. (²) Of the 72 litigated causes, 18 were causes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56.
Second Division -	137(')	Form - 292 Litigated - 72(²) 364	149	Ordinary, 36, the first of which was so ready 28 June 1865. Besides the above there is one case at avizandum.	8	

Dun. McNeill, Lord President.

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1866 and the 1st day of January 1867, showing the Number of Causes ready for Judgment, but not disposed of at the last of these Dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.		Number of Causes at Avizandum.	OBSERVATIONS.
Lord Kinloch - -	203	56	137	7	16 Nov. 1866	1	(') This Return does not include final judgments pronounced by Lord Mure in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions under the Statute 20 & 21 Vict. c. 56.
Lord Jerviswoode - -	357	118	150	11	11 Dec. "	7	
Lord Ormidale - -	168	66	87	12	15 Nov. "	-	
Lord Barcaple - -	311	84	145	18	7 July "	-	
Lord Mure - -	120	30	35 (')	16	12 June "	3	
TOTAL - - -	1,159	354	554	64	- -	11	

INNER HOUSE.

	Number of Reclaiming Notes pre- sented against Judgments of Lords Ordinary in the course of the above Year.	Number of Inci- dental and Sum- mary Applica- tions presented during the said Period, distin- guishing those which have passed as Mat- ters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment on Hearing Counsel, and otherwise, with the Date when the First of such Causes was so ready, and distin- guishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
First Division -	215	Form - 506 Litigated, 129 635	240	Ordinary, 75, the first of which was so ready 2 June 1866. Besides the above there are four causes at avizandum.	29	(¹) Of the 111 reclaiming notes, 29 were reclaiming notes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56.
Second Division -	111 (¹)	Form - 254 Litigated, 64 (²) 318	149	Ordinary, 33, the first of which was so ready 2 March 1866. Besides the above there are two causes at avizandum.	9	(²) Of the 64 litigated causes, five were causes transferred from the 1st Division to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56.

Edinburgh,
2 January 1867. }

Dun. McNeill, Lord President.

COURT OF SESSION (SCOTLAND).

RETURNS of the Number of Causes Instituted
and Decided in the Court of Session in
Scotland, in each Year, between the 1st day of
January 1862 and the 1st day of January 1867.

(Presented pursuant to Act of Parliament.)

*Ordered, by The House of Commons, to be Printed,
7 December 1867.*

COURT OF SESSION (SCOTLAND).

RETURN of the Number of CAUSES Instituted and Decided in the COURT of SESSION in *Scotland* between the 1st day of January 1867 and the 1st day of January 1868, showing the Number of Causes ready for Judgment, but not disposed of at the last of these dates.

OUTER HOUSE.

Name of Lords Ordinary.	Number of Causes for the First Time Enrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in Litigated Causes.	Number of Causes ready for Debate, but not Heard, with the Date when the First of these Causes was First Enrolled in the Debate Roll.		Number of Causes at Avizandum.	OBSERVATIONS.
Lord Kinloch - -	247	71	123	5	23 Nov. 1867	3	Lord Barcaple's return of final judgments does not include causes in the Teind Court. This Return does not include final judgments pronounced by Lord Mure in the Bill Chamber as Junior Lord Ordinary; nor does it include the numerous judgments pronounced and work done by him in the matters of petitions under the Statute 20 & 21 Vict. c. 56.
Lord Jerviswoode - -	344	141	145	25	5 June "	7	
Lord Ormidale - -	181	87	98	16	12 Nov. "	1	
Lord Barcaple - -	385	119	154	20	6 July "	-	
Lord Mure - -	105	37	25	12	6 June "	1	
TOTAL - - -	1,262	455	545	78		12	

INNER HOUSE.

	Number of Reclaiming Notes presented against Judgments of Lords Ordinary in the course of the above Year.	Number of Incidental and Summary Applications presented during said Period, distinguishing those which have passed as Matters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in Litigated Causes without the Intervention of a Jury.	Number of Causes ready for Judgment or Hearing Counsel, and otherwise, with the Date when the First of such Causes was so ready, and distinguishing those to be Tried by Jury from such as are not to be so Tried.	Number of Causes Tried by Jury.	OBSERVATIONS.
Division -	203	Form - 750 Litigated - 114 864	184	Ordinary, 114, the first of which was ready for hearing on 5 Dec. 1866. Besides the above there are three causes at avizandum.	29	Three causes at avizandum. Three before the whole judges. One to be heard by seven judges.
2d Division	133	Form - 256 Litigated - 66 312	153	Ordinary, 56, the first of which was ready for hearing 17 July 1867. Besides the above there are two causes at avizandum.	6	Two causes at avizandum. One case before the whole court. One to be heard by seven judges. Of the 133 reclaiming notes in the 2nd Division, 25 were transferred from the 1st to the 2nd Division under the authority of the Statute 20 & 21 Vict. c. 56 on 8th March 1867, and 30 were transferred in like manner on 18th July 1867.

January 1868.

John Inglis, Lord President.

COURT OF SESSION (SCOTLAND).

RETURN of the Number of Causes Instituted
and Decided in the Court of Session in
Scotland, between the 1st day of January 1867
and the 1st day of January 1868; &c.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, to be Printed,
14 February 1868.

COURT OF SESSION (SCOTLAND).

RETURN to an Address of the Honourable The House of Commons,
dated 17 March 1865 ;—*for*,

“RETURNS of LIST of CASES Decided in the COURT of SESSION between
the 1st day of January 1864 and the 1st day of January 1865 :”

“Date when Summons Signeted :”

“Sum Decerned for :”

“Expenses Decerned for :”

“And, Date of Final Decree or Judgment.”

(*Mr. Black.*)

Ordered, by The House of Commons, to be Printed,
20 February 1868.

RETURN of LIST of CASES Decided in the COURT of SESSION between the 1st day of January 1864 and the 1st day of January 1865; Date when Summons Signed; Sum Decerned for; Expenses Decerned for; and, Date of Final Decree or Judgment.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
I.—INNER HOUSE.							
1	Reduction and damages	- M'Millan v. Free Church of Scotland	29 November 1862	-	£. s. d. 25 8 2	8 January 1864	Absolutor; expenses to be disposed of by Lord Ordinary.
2	Damages	- Rogers v. Dick	2 January 1862	- 1 -	150 - -	8 "	After jury trial; decree for damages, with expenses, subject to large modification.
3	-	- Johnson v. Ramsay and others	1 May 1862	260 l., with interest at 5 per cent. from 5 March 1862.	Not decerned for	12 "	After jury trial; decree as concluded for, with expenses.
4	Advocation	- Campbell v. M'Dougall or M'Gillivray	5 Nov. 1863, lodged	-	Not decerned for	13 "	Remit simpliciter to sheriff, with expenses in this court
5	Declarator	- Muirhead v. Glasgow Highland Society	24 June 1859	-	Not decerned for	15 "	Absolutor, with expenses.
6	Multiple poinding	- Campbell v. Campbell and others	10 November 1863	-	Not decerned for	20 "	Action dismissed, with expenses.
7	Declarator and payment	- Balfour and Curators v. Balfour and others.	7 November 1862	-	-	20 "	Decree of declarator to a certain extent in terms of first conclusion; absolutor from remaining branch; action <i>quoad ultra</i> dismissed; no expenses.
8	Advocation	- Miller and Company v. Hoggan	26 Jan. 1863, advocation lodged.	-	28 16 7	30 "	Remitted to sheriff.
9	Conjoined reduction and declarator, and supplementary reduction and declarator.	- Duff and others v. Officers of State and others.	3 July 1862, first action; 12 Jan. 1863, second action.	-	Not decerned for	22 "	Absolutor, with expenses.
10	Declarator	- Holdsworth and others v. Cathcart and others.	28 November 1861	3,563 7 1	76 15 9	5 March 1863, and 25 May 1864 as to expenses.	After jury trial.
11	Damages	- Welsh v. Edinburgh and Glasgow Railway Company.	6 May 1863	3,000 - -	264 18 8	5 February 1864	After jury trial.
12	Conjoined actions	- M'Neill v. the Lord Advocate <i>et e contra</i>	13 December 1861, first action; 11 January 1862, second action.	70 l., with 5 per cent. interest from 1 April 1861.	168 8 3	9 "	Decree in terms of libel in M'Neill's summons; M'Neill absolved from second action; expenses to M'Neill in both.
13	Petition and complaint	- Menzies v. Macdonald	12 Nov. 1863, petition lodged.	-	None - -	13 "	Absolutor.
14	Appeal under 7 & 8 Geo. 4, c. 43	- Young v. Lang	12 June 1863, petition lodged.	None -	76 8 6	20 "	After jury trial; decree in terms of libel, with expenses.
15	Reduction improbation	- Morrison or M'Whinnie and Husband v. Johnstone and others.	3 January 1862	-	Not decerned for	23 "	Decree sustaining defences, with expenses.
16	Declarator of non-entry	- Hope v. Hope	1 June 1858	-	Not decerned for	23 "	Decree sustaining defences, with expenses.
17	Subpoena, Exchequer cause	- The Lord Advocate v. Carson	9 November 1857	310 l. 15 s. 8 d., under deduction of 143 l. 8 s. 9 d.	55 1 6	22 January "	Absolutor.
18	Reduction	- Brown, Abercrombie's heir v. Cook or Cook.	6 September 1862	-	None -	26 February "	Action dismissed, with expenses.
19	-	- Gillon and Company v. Dunlop	21 August 1860	-	223 16 3	1 March "	
20	-	- Macdonald v. Macdonald's Trustees	13 May 1861	175 - 11	30 - -	10 July 1863, and expenses 10 Mar. 1864.	
21	-	- Boyd v. Hyndman	28 October 1859	-	None -	4 March 1864	Absolutor.
22	Declarator and damages	- Lang v. the Presbytery of Irvine	12 January 1862	-	117 l. 1 s. 2 d. (defenders); 2 l. 2 s. (pursuers).	9 "	Action dismissed, with expenses; pursuer entitled to expenses of opposing objections to auditor's report.

24	Appeal in sequestration	-	-	-	-	William Inglis - Neville v. Greenock and Gourrock Omnibus Company and Clark. Wedderburn v. Paterson	29 June 1863, lodged 20 Feb. 1864, presented 14 August 1862	Appeal dismissed - 200 -	-	-	-	Not deemed for	52 6 9 32 4 3 250 14 5	3 February 1864 - 17 March " " 18 " "	Decree suspending charge.
25	Damages	-	-	-	-	-	-	-	-	-	-	-	-	" "	" "
26	Declarator	-	-	-	-	-	5 March 1858	-	-	-	-	-	-	" "	" "
27	Declarator and payment	-	-	-	-	Mackenzie v. Mackenzie's Trustees	6 October 1862	-	-	-	-	-	-	" "	" "
28	Declarator	-	-	-	-	Bontine v. Bontine and others	4 April 1861	-	-	-	-	-	-	" "	" "
29	Petition for recall of inhibition	-	-	-	-	H. G. Leslie v. Macleod and others	29 February 1864, petition lodged.	-	-	-	-	-	-	" "	" "
30	Reduction	-	-	-	-	Lewis v. Anstruther	9 December 1862	-	-	-	-	-	-	" "	" "
31	Damages	-	-	-	-	Ford v. Aberdeen, Leith, and Clyde Shipping Company.	3 December 1862	-	-	-	-	-	-	" "	" "
32	Damages	-	-	-	-	Currie v. McLean	18 November 1863	-	-	-	-	-	-	" "	" "
33	Damages	-	-	-	-	Forrester and others v. Magistrates and Town Council of Edinburgh.	22 February 1858	-	-	-	-	-	-	" "	" "
34	Damages	-	-	-	-	Miller v. Farquharson	18 December 1862	-	-	-	-	-	-	" "	" "
35	-	-	-	-	-	Scott & Co. v. Campbell and others (Lochlighthead Commissioners).	24 December 1862	-	-	-	-	-	-	" "	" "
36	-	-	-	-	-	Watt v. Hamilton	4 April 1861	-	-	-	-	-	-	" "	" "
37	Damages	-	-	-	-	Pedely v. Mackenzie	11 September 1863	-	-	-	-	-	-	" "	" "
38	Damages	-	-	-	-	Mackenzie v. Pedely	3 December 1863	-	-	-	-	-	-	" "	" "
39	-	-	-	-	-	Rankine v. Inglis	19 March 1861	-	-	-	-	-	-	" "	" "
40	Appeal in sequestration	-	-	-	-	George Beson. Appeal in Copeland's sequestration (Messrs. A. and J. Copeland).	10 November 1863, appeal lodged in Bill Chamber.	-	-	-	-	-	-	" "	" "
41	Appeal in sequestration	-	-	-	-	William Mitchell. Appeal in Copeland's sequestration (Messrs. A. and J. Copeland).	10 November 1863, appeal lodged in Bill Chamber.	-	-	-	-	-	-	" "	" "
42	Proving the tenor	-	-	-	-	Martin v. Martin and others	18 October 1860	-	-	-	-	-	-	" "	" "
43	Advocation	-	-	-	-	Cruickshank v. Leing	4 December 1863, advocacy lodged.	-	-	-	-	-	-	" "	" "
44	-	-	-	-	-	Jenkins and others v. Robertson and others.	5 March 1863	-	-	-	-	-	-	" "	" "
45	Petition for dis entail	-	-	-	-	Robertson George Duncan	5 February 1863, petition lodged.	-	-	-	-	-	-	" "	" "
46	-	-	-	-	-	Scottish North Eastern Railway Company v. Anderson.	26 December 1862	-	-	-	-	-	-	" "	" "
47	Declarator and interdict	-	-	-	-	Farquharson v. Byres and Lawson	29 June 1860	-	-	-	-	-	-	" "	" "
48	Advocation	-	-	-	-	Williamson v. Brodie	12 January 1863, lodged	-	-	-	-	-	-	" "	" "
49	Damages	-	-	-	-	Turnbull v. Hobkirk	19 December 1863	-	-	-	-	-	-	" "	" "
50	Damages	-	-	-	-	Allan v. Macdonald and Griever	1 July 1863	-	-	-	-	-	-	" "	" "
51	Reduction count, reckoning and payment.	-	-	-	-	Hogg v. Tweedie and others	9 July 1863	-	-	-	-	-	-	" "	" "
52	-	-	-	-	-	Freyd's sequestration. Report by Accountant in Bankruptcy against the Trustee (M'Cubbin).	22 February 1864, report lodged.	-	-	-	-	-	-	" "	" "

Return of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
I.—INNER HOUSE—<i>continued</i>.							
53	Conjoined reduction and payment.	Leslie and Hall v. Dougans-	12 Dec. 1862, payment; 12 June 1863, reduction.	£. s. d. 323 l. 17 s. 1 d., with 5 per cent. interest from 30 September 1862.	Not decerned for	1 July 1864	Decree repelling reasons of reduction, and decree in terms of libel in payment, with expenses.
54	Proving the tenor	Hyndman v. M'Gourlay and M'Colgan	22 June 1863	None	None	5 "	"
55	Multiple-poining	Campbell v. Munro and others	27 June 1861, first action; 10 Oct. 1861, second action.	Division of fund <i>in medio</i> among claimants.	None	7 "	"
56	Declarator (Dowar entail)	Borthwick (now Howden) Glassford's Trustees v. Glassford and others.	6 December 1860	-	274 19 1	7 "	Absolutor, with expenses.
57	Court, reckoning and payment	Webster v. Graham	6 February 1858	2,213 10 7	317 13 6	8 "	Petition refused.
58	Petition for factor, <i>loco absentis</i> to William Watson.	Watson, Elizabeth Johnston, or	20 April 1864, petition lodged.	-	-	12 "	"
59	-	Findlay v. Maxwell	15 March 1859	-	199 4 -	5 Feb. 1862; 1 Dec. 1864, expenses.	Action dismissed.
60	Petition and complaint	Sutherland, Duke and Duchess of	16 June 1864, petition lodged.	40 - -	25 6 3	14 July 1864	"
61	Advocation	Monteath and others v. Maxwell	14 Dec. 1854, advocation lodged.	-	135 19 2	15 "	Cause advocated, and interdict granted.
62	First appeal in sequestration of James Cairns & Son.	M'Cowan (Trustee of James Cairns and Son) v. Cairns' Trustees (James).	24 March 1864, appeal lodged in Bill Chamber.	-	Not decerned for	15 "	Appeal dismissed, with expenses, in this court.
63	Second appeal in sequestration of James Cairns & Son.	M'Cowan (Trustee of James Cairns and Son) v. Cairns' Trustees (James).	24 March 1864, appeal lodged in Bill Chamber.	-	Not decerned for	15 "	Appeal dismissed, with expenses, in this court.
64	-	Kilgour v. Bridgeford	16 April 1863	45 l. 10 s., with interest from 30 Sept. 1862.	30 - -	15 "	Decree in terms of minute for defender.
65	Declarator count, reckoning and payment, and removing.	Beaton v. Craig and others	14 October 1862	-	169 l. 13 s. 10 d., against pursuer.	19 Dec. 1863, 16 Nov. 1864.	Absolutor; expenses.
66	Advocation	Torrance v. Orr	14 March 1864, advocation lodged.	Against Orr for 2 l. 10 s. of inlying charges, and 8 l. for amount of aliment.	Not decerned for	19 July 1864	Decided that Orr is the father of the child of the advocator, and decree against him for certain sums of inlying charges and aliment. Expenses in both courts to the advocator.
67	Proving the tenor	Hamilton v. Cumming	21 October 1862	None	None	19 "	Petition to junior Lord Ordinary, incompetent; must be presented to the Inner House; expenses.
68	Petition for removal of trustees	Mitchells v. Mitchells	22 June 1864, petition lodged.	-	34 10 -	20 "	"
69	-	Houston v. Western Bank of Scotland	11 November 1862	-	60 l. 5 s., against pursuer	26 January	Absolutor.
70	Advocation	Taylor v. Strachan and Brown	23 Nov. 1863, lodged	-	200 l. 8 s. 5 d., against advocator.	9 November "	Absolutor from inferior court action.
71	-	Bonar v. Hibbs	9 November 1859	204 17 9	218 8 7	15 "	"
72	Advocation	Thomson v. Ross	16 May 1864, advocation lodged.	-	73 l. 4 s. 3 d., (to advocator); 4 l. 4 s. (to respondent.)	22 "	After jury trial, Thomson assolized with expenses; respondent (Ross) entitled to expenses of opposing objections to auditor's report.
73	-	Aitchison v. Steven	8 February 1864	20 - -	Not decerned for	24 "	After jury trial, decree for 20 l. as damages; expenses to pursuer to 3rd March 1864, and to defender after that date.
74	-	Brown (Campbell's Trustee) v. Brown and Samson.	9 January 1852	-	179 l. 5 s. 9 d., against pursuer.	8 June	Absolutor.
75	-	O'Connell v. Russell	29 October 1862	-	-	25 November "	Absolutor with expenses; not decerned for.

76	Proving the tenor	-	-	-	-	8 February 1864	-	-	-	None	-	-	-	26	"	-	Decree repelling suspension.
77	Suspension	-	-	-	-	11 Jan. 1864, lodged	-	-	-	39 l. 6 s. 2 d. against suspender.	-	-	-	29	"	-	
78	Advocation	-	-	-	-	8 Oct. 1863, lodged	-	-	-	150	-	-	-	30	"	-	
79	Advocation	-	-	-	-	16 Oct. 1864, lodged	-	-	-	-	-	-	-	-	-	-	Remit to sheriff.
80	Advocation	-	-	-	-	29 May 1863, lodged	-	-	-	-	-	-	-	-	-	-	After two jury trials, decree in terms of libel with expenses; decree for 207 l. 17 s. 8 d. of expenses, 16th March 1865. Suspension refused.
81	-	-	-	-	-	4 February 1863	-	-	-	76 l. 10 s., with legal interest from 4 Dec. 1862.	-	-	-	6 December	"	-	Suspension refused.
82	Suspension	-	-	-	-	11 May 1863, lodged	-	-	-	-	-	-	-	8 March	"	-	Remit simpliciter to sheriff, with expenses in both courts.
83	Suspension	-	-	-	-	11 May 1863	-	-	-	-	-	-	-	8	"	-	Reduction.
84	Advocation	-	-	-	-	16 July 1863, advocation lodged.	-	-	-	-	-	-	-	7 December	"	-	Absolutor in declaration of marriage; decree in terms of declarator of freedom and putting to silence, except as to damages and expenses, as to which absolutor; no expenses.
85	-	-	-	-	-	6 June 1861	-	-	-	-	-	-	-	5 January	"	-	Interlocutor recalled, and remit to sheriff to dispose of appeal to him on merits.
86	Conjoined declaration of freedom and putting to silence, and declaration of marriage.	-	-	-	-	8 June 1859, declaration of freedom, and putting to silence; 13 June 1860, declaration of marriage.	-	-	-	-	-	-	-	10 December	"	-	Interlocutor recalled, and remit to sheriff to dispose of appeal to him on merits. Reduction dismissed, and remit to sheriff.
87	First appeal, Crichton's sequestration.	-	-	-	-	21 Nov. 1864, appeal presented.	-	-	-	-	-	-	-	14	"	-	Absolutor.
88	Second appeal, Crichton's sequestration.	-	-	-	-	21 Nov. 1864, appeal presented.	-	-	-	-	-	-	-	14	"	-	Resolution of creditors appealed against; recalled.
89	Conjoined reduction and advocation, <i>ob contingendum</i> .	-	-	-	-	18 February 1863	-	-	-	-	-	-	-	16	"	-	Absolutor with expenses, 17th January 1865; decree for 78 l. 17 s. 8 d. of expenses.
90	Damages	-	-	-	-	16 May 1863	-	-	-	-	-	-	-	17	"	-	Interlocutor appealed against recalled; remit to sheriff to dispose of appeal to him on merits.
91	Appeal in J. T. Keith's sequestration.	-	-	-	-	9 Nov. 1864, appeal presented.	-	-	-	-	-	-	-	20	"	-	Interlocutor appealed against recalled; remit to sheriff to dispose of appeal to him on merits.
92	-	-	-	-	-	5 June 1863	-	-	-	-	-	-	-	21	"	-	Decree as concluded for, with expenses in both courts, 20th January 1865; decree for 299 l. 17 s. 11 d. of expenses.
93	Declarator, &c.	-	-	-	-	25 February 1863	-	-	-	-	-	-	-	21	"	-	Action dismissed.
94	First appeal, Crichton's sequestration.	-	-	-	-	21 Nov. 1864, presented	-	-	-	-	-	-	-	24	"	-	Absolutor.
95	Second appeal, Crichton's sequestration.	-	-	-	-	21 Nov. 1864, presented	-	-	-	-	-	-	-	24	"	-	Interdict recalled, and process dismissed.
96	Conjoined advocations	-	-	-	-	8 Dec. 1863, first advocation lodged; 31 March 1864, second advocation lodged.	-	-	-	-	-	-	-	24	"	-	
97	-	-	-	-	-	28 March 1862	-	-	-	-	-	-	-	3 July 1863, and expenses 6 Jan. 1864.	"	-	
98	Conjoined actions of declaration and suspension.	-	-	-	-	3 May 1859, declarator; 15 Nov. 1858, suspension lodged.	-	-	-	-	-	-	-	5 June 1863, and expenses 6 Jan. 1864.	"	-	
99	-	-	-	-	-	2 February 1860	-	-	-	-	-	-	-	8 Jan. 1863, and expenses 12 Jan. 1864.	"	-	
100	Suspension and interdict	-	-	-	-	14 Oct. 1861, lodged	-	-	-	-	-	-	-	22 January 1864	-	-	

Return of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	REMARKS.
I.—INNER HOUSE—<i>continued</i>.							
101	Reduction	Forsyth v. Duncan	1 December 1862	£. s. d.	£. s. d.	16 January 1864	Reduction.
102	"	Henry & Co. v. Young, &c.	5 October 1861	-	219 19 3	21 "	Absolutor.
103	First and second petitions	Lord -	10 Dec. 1863, first petition lodged; 12 Jan. 1864, second petition lodged.	-	None	27 "	Decree recalling arrestments.
104	Advocation	Inglis v. Wakefield and Phillips	19 Dec. 1861, lodged	-	121 l. 13 s. 3 d. against respondent.	25 Nov. 1862, and expenses, 2 Feb. 1864.	Absolutor from inferior court action.
105	"	Lothian v. Carron Company	23 May 1861	-	72 5 5	12 July 1864	Action dismissed.
106	Suspension and interdict	Myles v. Morison	8 Dec. 1863, presented	-	None	11 February "	Refused.
107	"	McColman v. McArthur	2 December 1862	-	123 2 4	24 "	Absolutor.
108	Reduction	Dobie v. Marquis of Lothian	12 June 1861	272 12	191 l. 10 s. 5 d. against pursuer.	7 Jan. 1863, and expenses, 18 Mar. 1864.	Absolutor.
109	Advocation	Dobie v. Marquis of Lothian	19 May 1862, advocation lodged.	-	78 l. 4 s. 11 d. against advocator.	23 Feb. 1863, and expenses, 17 Mar. 1864.	Remit to sheriff.
110	Suspension	Stephen v. Skinner	14 Nov. 1859, suspension lodged.	-	158 l. against respondent.	30 January 1864	Decree suspending charge, &c.
111	"	Allan v. Barclay	11 November 1863	-	34 l. 3 s. 4 d. against pursuer.	15 March "	Action dismissed.
112	"	Stupard v. Stupard	3 June 1861	-	None	16 "	Absolutor.
113	Appeal in sequestration	Gold & Co. in Bisland's sequestration	12 Jan. 1864, lodged	-	Not decerned for	18 "	Appeal dismissed.
114	Appeal in sequestration	Gold & Co. in Pollock's sequestration	12 Jan. 1864, lodged	-	Not decerned for	18 "	Appeal dismissed.
115	"	Scrabster Harbour Trustees v. Sinclair	10 September 1862	-	118 l. 7 s. 4 d. against pursuer.	16 January "	Action dismissed.
116	Advocation	Burnett v. Morrow	10 Sept. 1863, lodged	7 17 11	51 11 11	2 July "	"
117	"	Morrison v. Hutton	3 May 1861	288 15 7	272 3 4	16 July 1863, and expenses, 20 May 1864.	"
118	"	Baxter and Mitchell v. Wood	12 January 1863	Professional accountants may be taxed.	Not decerned for	25 March 1864	"
119	"	Scoular v. McLaughlan	19 May 1862	-	100 11 5	14 May "	Action dismissed.
120	Suspension and interdict	Isdale v. Jack	25 June 1863	-	Not decerned for	31 March "	Interdict granted.
121	"	Magistrates of Edinburgh v. North British Railway Company.	15 Mar. 1864, presented	-	-	25 May "	Note passed and interdict continued.
122	"	Miller v. Mackintosh	12 October 1863	-	44 l. 7 s. 10 d. against pursuer's mandatory.	26 "	Action dismissed.
123	Petition Bullgin	Sequestration Frankenstein	14 April 1864, petition lodged.	-	25 10 1	7 June "	Sequestration recalled.
124	Petition	Bathgate, Walker's Trustees	26 December 1863	-	Expenses found due; account not lodged.	13 September 1864	Ranking and scheme of division.
125	Suspension	Peterson v. Portobello Town Council	16 March 1864, lodged	-	42 19 6	7 June "	Suspension refused.
126	Damages	Skeoch v. Millar	15 April 1863	200	928 1 4	16 July "	"
127	Appeal in sequestration	Smith, in sequestration Lindsay	30 May 1864, presented	-	Expenses found due, but not taxed or decerned for.	11 June "	Remit to sheriff to correct trustees' deliverance.

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Return of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
I.—INNER HOUSE—<i>continued.</i>							
166	-	Brown v. Robertson	6 November 1862	-	£. 9 s. d. against pursuer.	18 March 1864	Absolutor.
167	-	Vass v. Vass	16 May 1860	-	None	18 "	-
168	Count, reckoning and payment	Souter v. Ramsay	16 December 1858	20 16 9	521 1 6	24 February "	-
169	-	Fulton v. Fulton	14 November 1860	989 10 3	156 19 4	2 July "	Cause advocated, and interdict granted.
170	Advocation	Burdal v. Thomson	8 April 1863, lodged	-	95 l. 15 s. against respondent.	26 March "	Reduction dismissed, and charge suspended.
171	Conjoined suspension and reduction.	Macdougall v. Northern Aberdeen Company.	3 June 1861, reduction lodged. 10 May 1858, suspension lodged.	-	None	26 "	-
172	-	Henderson v. Pender	1 June 1859	4,640	564 6 9	31 "	-
173	Declarator	Stewart v. Strang	9 November 1860	None	None	31 "	Declarator.
174	-	Graham v. Gillespie	22 July 1861	34 8 9	-	27 "	-
175	Advocation	Strang v. Stewart	17 Jan. 1861, lodged	None	None	31 "	-
176	Recall of sequestration	Young v. Buckle	16 Jan. 1863, petition lodged.	-	59 11 2	18 May "	Sequestration recalled.
177	Suspension and interdict	Neill v. Hamilton	17 Feb. 1864, presented	-	11 l. 16 s. 9 d., and 8 l. 14 s.	18 "	Refused.
178	Advocation	Paul v. Smith	28 Oct. 1862, lodged	None	353 18 1	21 "	Jury trial.
179	-	Hubback v. North British Railway	16 Sept. 1863	400	-	25 "	Refused.
180	Suspension and liberation	Haldane v. Minto	3 May 1864, presented	-	21 4 10	31 "	-
181	-	Murray's Trustees v. Nimmo	28 May 1863	One-half of the fee of the residue of the estate of James Murray.	None	3 June "	-
182	Advocation	Macfarlane v. Johnston	9 May 1863, presented	330 19 8	Not decerned for	7 "	-
183	-	Pitt v. Pitt	20 December 1860	-	598 l. 14 s. 6 d. against pursuer.	4 "	Dismissed.
184	Advocation	Laurie v. Mooney	9 Mar. 1863, presented	None	None	16 "	Repel first plea in law for advocator; issues to be given in.
185	-	Reid & Cox v. Tylder (Laswade Road Trustees).	3 February 1863	24 10 2	None	14 July "	-
186	Declarator	Magistrates of Rothesay v. Bute	30 January 1863	-	None	26 January "	Declarator.
187	-	Braidhar Quarry Company v. Finlayson.	13 February 1862	None	105 12 6	1 July "	Absolutor.
188	Appeal in sequestration	William Smith	23 June 1864, appeal presented.	None	None	2 "	Liberation.
189	Suspension and interdict	Trowsdale v. Jopp	10 June 1864, presented	-	-	13 "	Refused. Expenses found due, but not taxed.
190	-	McGregor v. Lord Strathallen	23 July 1861	None	None	14 "	Dismiss action, to a certain extent, and sent to a jury.
191	-	Shand & Co. v. Duff's Trustees	10 December 1860	None	None	14 "	Absolutor.
192	-	Kelland v. Douglas	19 December 1861	20,616 l. 14 s. among claimants.	None	15 "	Decree of preference.
193	-	McIntosh v. McIntosh	20 March 1861	-	285 l. 3 s. 10 d. against pursuer.	15 "	Absolutor.
194	Petition and complaint	Waman v. Scottish Central Railway	9 June 1864, presented	None	None	19 "	Dismissed.

195	Appeal	Woodthorpe v. Thomson	9 July 1864, presented	None	None	20 July	Refused reclaiming note for both parties; no expenses.
196	Suspension and interdict	Stewart v. Watson	20 May 1864, presented	-	-	20 "	Refused.
197	Suspension	O'Donnell v. Linton	26 Nov. 1861, presented	-	-	25 November	Decree repelling suspension.
198	Advocation	M'Farlane v. Bryden & Skinner	8 Feb. 1864, presented	-	-	8 "	Remit simpliciter to sheriff.
199	Declarator	Morton & Co. v. Smith	18 January 1864 -	-	-	7 "	Decree of declarator.
200	-	Forrest v. Sawers	4 August 1864 -	-	-	9 "	Dismissed.
201	-	Sime v. Dalrymple	31 December 1862	-	-	10 "	Cases settled by joint minute.
202	Advocation	Gillespie v. Shaw	16 Dec. 1863, presented	None	-	11 "	
203	-	Turner v. Tannoch's Trustee	23 June 1862	None	-	11 "	
204	-	Turner v. Tannoch's Trustee	28 May 1863	-	-	19 "	
205	Petition	Skinner v. Geddes	24 Mar. 1864, presented	None	-	19 "	
206	-	Goldie v. Renton	28 May 1864	None	-	22 "	Decree of declarator.
207	Declarator	Houston's Trustees v. Napier	29 October 1863	None	-	22 "	
208	-	Dixon v. M'Kirdy	15 July 1863	None	-	24 "	
209	Advocation	Kennedy v. Campbell	12 Aug. 1863, presented	-	-	24 "	
210	Advocation	Scott v. Drain & Co.	1 Dec. 1863, presented	-	-	26 "	
211	Suspension	M'Lachlan v. Rankin	12 July 1864, presented	None	-	29 "	Absolutor from inferior court action.
212	-	Hunter v. Somerville	19 February 1863	-	-	30 "	Suspension passed.
213	-	Peddie v. Meek	25 November 1863	None	-	1 December	Division of trust estate among claimants; expenses payable out of trust estate.
214	-	Mackenzie or Thom v. Mackenzie	6 October 1863	None	-	1 "	Expenses not taxed.
215	Suspension	M'Isaac v. Lang	21 Oct. 1864, presented	40 l. yearly	-	2 "	Refused.
216	-	Cuthbertson v. Young	3 August 1849	None	-	6 "	Expenses not deemed for.
217	-	Murray v. Palmer	30 September 1863	-	-	9 "	Absolutor.
218	-	Craig v. Milligan	28 April 1864	-	-	15 "	Repel reasons of advocation; no expenses.
219	Petition	Findlay v. Donaldson	25 Nov. 1864, presented	-	-	17 "	Recalling inhibition.
220	Advocation	Rose, Graham & Wilson v. M'Dougall	27 February 1863	280	-	22 "	Petition for delivery of deed from general record; prayer granted.
221	Petition	Jolly -	16 June 1864, presented	-	-	24 "	Settled by joint minute; defender allowed half expenses; not deemed for.
222	-	Lindsay Hay's Trustees v. Milne	14 February 1863	2	-	25 June	Remitted to sheriff of Edinburgh; advocation found liable in expenses; not deemed for.
223	Advocation	Jack v. Simpson	30 April 1863, presented	-	-	1 December	Dismiss petition; expenses not deemed for.
224	Advocation	Crammond v. Lowson's Trustees	10 Nov. 1863, presented	-	-	14 June	Remit to sheriff of Dumfries.
225	Advocation	Graham v. Cruickshank	10 Mar. 1864, presented	-	-	16 November	Decerned for in 1864.
226	Advocation	Anderson v. Mackenzie and Jack	17 Feb. 1864, presented	-	-	10 December	Absolutor; expenses not deemed for.
227	-	Dawson v. Stirling	20 October 1860	-	-	16 "	Assolzie.
228	Advocation	Brown v. Shaw	18 Feb. 1864, presented	-	-	3 March	Sustain defences; expenses not deemed for.
229	Advocation	Foulds v. M'Cullum and others	27 Feb. 1862, presented	282	5	4 November	Sustain reasons and suspend; expenses not deemed for.
230	Suspension	Lambert v. Smith	6 Jan. 1863, presented	-	-	18 "	Dismiss action.
231	Advocation	Ovington v. M'Kier	25 Feb. 1863, presented	-	-	12 May	Recal interlocutor, with certain findings; expenses not deemed for.
232	Multiple-pounding	North British Insurance Company v. Tunnoch.	11 December 1862	-	-	1 November	Refused reclaiming note as incompetent; expenses not deemed for.
233	Cessio	M'Kinney v. Van Heck	22 February 1864	-	-	12 March	Refused reclaiming note for pursuers; expenses not deemed for.
234	-	United Steam Tug Company of Glasgow and Greenock v. Crepin.	15 October 1862	12	10	1 June	Execution allowed, pending appeal; expenses not deemed for.
235	Petition	Morris v. Bicket	1 September 1864	-	-	18 November	Inspector of Carnworth found entitled to expenses; not taxed.
236	Advocation	Ranken v. Galloway	9 July 1863, presented	9	8	14 July	
237	Advocation	Watson v. Allan	11 Feb. 1864, presented	60	8	23 December	

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
I.—INNER HOUSE.—<i>continued.</i>							
238	Advocation	Wilson v. Edmond	2 June 1863, presented	-	£. s. d.	28 January 1864	Dismiss petition; expenses not decerned for.
239	Suspension	McDonald v. Union Bank	25 Sept. 1861, presented	-	-	29 March "	Dismiss action.
240	Advocation	Stephen v. Ferguson & Lillie	13 Feb. 1863, presented	-	-	2 "	Dismiss action; expenses not decerned for.
241	-	Scott v. Scott	14 February 1861	-	-	1 June "	Dismiss action; no expenses.
242	Advocation	Shaw's Water Company v. Campbell	18 May 1863, presented	-	-	2 "	Dismiss action; none found due.
243	Advocation	Sanderson v. Greig	6 Nov. 1863, presented	-	-	23 "	Sustain defences; expenses not decerned for.
244	-	Anderson v. Breysig	5 October 1863	-	-	27 "	Settled by joint minute; no expenses.
245	-	MacLagan v. Hay	11 January 1864	93 - -	-	17 May "	Assolized defender beyond sum accounted for; no expenses.
246	-	Byrne v. Proudfoot	7 April 1863	-	-	10 February "	Refuse prayer of petition; no expenses.
247	-	Scottish North Eastern Railway Company v. Parish of Cupar Angus.	15 October 1860	-	-	4 "	Remit with certain findings to Lord Ordinary.
248	Petition	Balgairnie (Geddes' Trustee) presented.	16 February 1864	-	-	16 March "	Refuse petition; no expenses.
249	-	Carlyle & Bell v. Stewart	5 December 1862	-	-	29 January "	Settled by joint minute; no expenses to either party.
250	-	Olsch v. Jessiman	18 March 1863	140 - -	-	15 March "	Settled by joint minute; no expenses to either party.
251	-	White v. Percell	19 August 1862	280 - -	-	6 February "	Refused reclaiming note for respondent; expenses not decerned for.
252	Petition	Wilson and others	22 June 1864	-	-	2 July "	Opinion on case ordered by Chancery; no expenses decerned for.
253	Petition	Davidson, &c.	3 Mar. 1864, presented	-	-	15 March "	Refuse prayer; expenses not decerned for.
254	Advocation	Provan v. Taylor	26 June 1862	-	-	16 June "	Sustain defences.
255	Advocation	Foreman v. Bookless	28 Oct. 1863, presented	84 15 6	96 11 6½	13 May "	Sustain defences; expenses not decerned for.
256	-	Clydesdale Bank v. Murdoch	30 December 1859	-	55 17 7	28 January "	Verdict applied; no expenses found due.
257	-	Smyth v. Davidson	7 January 1863	-	-	25 June "	-
258	Advocation	Addie v. Pinkerton	3 Sept. 1863, presented	11 l. 13 s. 4 d. (quoad ultra absolver).	66 l. 12 s. 8 d. against respondent.	20 July "	-
259	-	Bell v. Ogilvie	23 May 1861	162 19 6	None -	14 January "	-
260	-	Bisset v. Ecclesfield	30 April 1860	-	46 7 5	11 June "	Dismissed.
261	Advocation	Duff v. Banks	4 Feb. 1864, presented	-	-	2 December "	Remitted to sheriff.
262	Petition	Ferguson	26 May 1864	-	15 1 7	16 June "	Recalling inhibition.
263	-	George v. Cumming	8 May 1863	-	70 - -	13 December "	Declarator.
264	-	Kilpatrick v. Bell and others, conjoined	13 Jan. 1863; 7 April 1863.	1,000 - -	None -	8 July "	-
265	-	Hardie v. Town of Port Glasgow	17 November 1862	-	-	12 March "	Dismissed.
266	-	Muir v. Richards	10 February 1859	1,000 - -	55 11 8	14 June "	Declarator and suspension.
267	Suspension and Declaration	Morris v. Bicket	5 February 1862	-	-	20 May "	Absolver from inferior court action.
268	Advocation	Martin v. Gardner	27 Aug. 1863, presented	-	52 l. 9 s. 7 d. against respondent.	4 November 1863	Absolver from inferior court action.
269	Advocation	Morrison v. Robertson	1 May 1862, presented	-	None -	19 March 1864	Absolver.
270	-	McLellan v. Turner's Executors	14 January 1862	-	53 10 3	11 June "	Refused.
271	Suspension	McBey v. Stewart	21 May 1863, presented	-	32 1 2	27 May "	Absolver.
272	-	Macnochie v. Stirling	3 December 1859	-	372 l. 16 s. against pursuer.	26 February "	Absolver from inferior court action.
273	Advocation	Neilson v. M'Kean	22 May 1863, presented	-	120 l. 12 s. 9½ d. against advocator.	15 January "	Absolver.
274	-	Oswald v. Oswald	21 June 1861	-	328 l. 1 s. 3 d. against pursuer.	-	-

	Conjoined original and supplementary actions.	Ord v. Ord -	22 May 1861 (original), 16 Jan. 1862 (supply.)	80 l. reduction, &c.	None -	1 March	Absolver. Declarator. Decree of proving the tenor.
275	-	Roxburgh, &c. v. Wright	31 Dec. 1862, presented	925 l. against advocator	243 8 4	1 "	"
276	-	Roxburgh, &c. v. Phillips	31 Dec. 1862, presented	150 l. against advocator	239 18 7	1 "	"
277	-	Rintoul v. Hannah	4 July 1861	-	None -	19 May	"
278	-	Rollo v. Rollo	16 November 1863	-	None -	20 "	"
279	-	Burgh of Sanquhar v. Officers of State.	28 March 1862	-	None -	23 January	"
280	-	Proving the tenor	-	-	-	-	-
281	-	Advocation	4 Feb. 1863, presented	35 l. 12 s. 6 d. against advocator.	64 7 6	17 May	"
282	-	Trodden v. Sweetman	22 April 1861	250 14 2	None -	17 March	"
283	-	Thomson v. Ballingall	27 May 1863, presented	-	300 9 10	8 June -	Cause advocated, and interdict granted.
284	-	Ward v. Hunter	30 December 1862	-	94 l. 5 s. 5 d. against pursuers.	26 January	Absolver.
285	Suspension	Crawford v. Townsend	9 Aug. 1864, presented	-	41 0 7	3 December	"
286	Suspension	Campbell v. Bryson	10 Mar. 1862, presented	-	233 1 10	16 "	Repelling suspension.
287	Advocation	Dickson v. McIntosh	8 Mar. 1864, presented	-	None -	17 "	Cause advocated, and interdict granted.
288	Suspension	Begg v. Graham	22 June 1863, presented	-	None -	19 March	Suspending and interdicting.
II.—OUTER HOUSE:							
289	-	Ratter v. Dye & Co.	14 November 1863	31,930 -	12 8 -	6 January	Action dismissed.
290	-	Geddes & Sons v. McCreath	3 November 1863	786 11 8	12 - 5	6 "	Absolver.
291	Declarator, &c.	Lade v. Large Baking Company	29 October 1859 -	-	70 l. and 65 l.	6 "	Expenses not taxed.
292	Declarator	Houston's Trustees v. Napier	29 October 1863 -	None -	None -	9 "	Absolver ; no expenses.
293	-	Kerr v. Sproat's Trustees	15 October 1863 -	95 - 3½	-	9 "	Dismissed.
294	-	McAlman v. McArthur	2 December 1862	272 12 -	123 2 4	13 "	Decree of absolvitor, quoad the defenders,
295	-	Collam & Co. v. Fraser	2 November 1863	270 17 -	16 7 8	13 "	C. Leckie & Co.
296	Declarator, &c.	Crawford v. Caldwell & Miller	11 September 1863	-	None -	13 "	Expenses not taxed.
297	Multiple-poincing, &c.	Lord Fife's Trustees v. Taylor, &c.	21 June 1861 -	-	326 l. 1 s. 9 d. against pursuer.	13 "	Absolver ; no expenses.
298	Reduction, declaration, &c.	Wight (Boyd's Trustees) v. Ireland	18 September 1863	150 -	-	14 "	Dismissed.
299	-	Cressie & Prossie v. Ardario	19 October 1863 -	-	77 9 2	15 "	Decree of absolvitor, quoad the defenders,
300	-	Mann's Trustees v. Mann	13 May 1863 -	1,000 -	-	15 "	C. Leckie & Co.
301	Reduction, &c.	Scrabster Harbour Trustees v. Sinclair	10 September 1862	-	118 l. 7 s. 4 d. against pursuers.	16 "	Expenses not taxed.
302	Furthcoming	Johnston v. Rae -	5 February 1863	-	None -	16 "	Absolver.
303	Declarator, &c.	Dalhousie v. Robertson	29 January 1863 -	None -	83 7 1	16 "	Expenses not taxed.
304	-	Reid v. Chrystal -	16 December 1863	50 -	-	16 "	Decree of absolvitor.
305	-	Colston & Son v. Johnston	11 December 1863	767 14 8	None -	20 "	Decree of declarator.
306	Separation and aliment	Blackie v. Blackie	18 November 1863	10 l. yearly -	None -	21 "	Repelling suspension.
307	Reduction, &c.	Fotheringham v. Hannan, Kerr & Co.	28 February 1863	-	41 11 9	21 "	"
308	Declarator	Archer v. Ritchie, &c.	9 December 1863	-	None -	21 "	"
309	Suspension	Newlands v. Brock	10 Nov. 1862, lodged	-	37 7 10	22 "	"
310	-	Morrison v. Deans & Taylor	21 November 1863	237 14 4	None -	22 "	"
311	Multiple-poincing, &c.	Russell's Trustees v. Walker	13 May 1861 -	238 l. 15 s. 2 d. divided among claimants.	None -	23 "	"
312	Declarator, &c.	Mackenzie v. Ross-shire Road Trustees	24 January 1863 -	-	126 8 6	27 "	Decree of absolvitor.
313	Suspension and interdict	Lord Blantyre v. Mitchell and others	18 Jan. 1864, lodged	-	14 10 7	27 "	Suspending and interdicting.
314	Constitution	Teller v. Richardson	26 December 1863	210 -	18 18 6	27 "	"
315	Declaration	Woodman's Trustees v. Cruickshank	10 June 1863	-	14 17 11	27 "	Declarator, &c.
316	Damages -	Dempster v. Edinburgh and Glasgow Railway.	6 May 1863	1,145 -	-	28 "	Expenses not taxed.
317	-	Jack v. Wallace	20 January 1862 -	-	-	29 "	Expenses not taxed.
318	Damages -	Dempster v. Edinburgh and Glasgow Railway Company.	27 October 1863 -	17 2 2	-	29 "	Expenses not taxed.
319	-	Brydon v. Hill	10 November 1862	25 -	-	30 "	Absolver ; no expenses.
320	Furthcoming	Corp v. Melville, &c.	12 February 1863	65 -	-	30 "	"

II.—OUTER HOUSE:

[illegible]

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE.— <i>continued.</i>							
321	-	Adams v. Addie, &c.	30 December 1863	-	-	3 February 1864	
322	-	Clydesdale Bank v. Cunningham	30 April 1862	200 - - Division of trust funds	None - - -	3 "	
323	-	Mackintosh v. Mackintosh	18 October 1860	-	76 3 8	16 "	
324	-	Mitchell v. Whitelocks	27 April 1863	600 - - -	62 l. 2 s. 6 d. against pursuer.	5 "	Absolutor.
325	Count, reckoning, and payments (conjoined actions).	Fearn v. Fearn	10 October 1855; 24 January 1860.	72 13 10	33 6 7	-	
326	Declarator, &c.	Fraser v. Walker	10 December 1863	-	None - - -	10 "	Decree of declarator and adjudication.
327	Constitution	Laughlin v. Findlay, &c.	8 January 1864	505 9 6	19 4 9	10 "	
328	-	Porteous v. Fairman	3 June 1863	-	None - - -	12 "	Absolutor; no expenses.
329	-	Laudale's Trustees v. Millie, &c.	25 June 1860	729 18	None - - -	12 "	
330	-	Breysig & Co. v. Anderson	1 October 1862	-	19 15 2	13 "	Absolutor.
331	-	Duncan's Trustees v. Duncan	28 December 1863	-	None - - -	17 "	Declarator.
332	-	Duncan's Trustees v. Eosd.	28 December 1863	-	None - - -	17 "	Declarator.
333	-	Kilmacolin Road Trustees v. the Caledonian Railway.	4 December 1860	46 10 -	52 18 -	20 "	
334	Reduction, &c.	Cameron v. West's Trustees	26 February 1863	149 12 1	None - - -	20 "	
335	-	Henderson v. Cowper	22 January 1864	49 16 6	7 5 9	24 "	
336	Declarator, relief, &c.	Lenon v. Cameron, &c.	6 May 1862	-	90 - - -	24 "	No sum decerned for.
337	Count, reckoning, and payment	Ramsay's Trustees v. Souter	6 December 1858	-	423 15 6	24 "	
338	Multiple-poining and reduction (conjoined actions).	Bryden v. Bell & Co.	8 May 1863, multiple-poining; 9 June 1863, reduction.	598 l. 1 s. 10 d., fund in medio.	None - - -	24 "	Absolutor from reduction.
339	Multiple-poining and count and reckoning.	Macfarlane v. Wilson's creditors	6 December 1860	-	None - - -	25 "	Exoneration in multiple-poining; absolutor from count and reckoning.
340	Petition	Mrs. Cowan	17 Dec. 1863, lodged	-	None - - -	26 "	Protection of wife's property.
341	Divorce	Powrie v. Powrie	23 December 1863	-	None - - -	26 "	Decree of divorce.
342	-	Dickson v. Farquharson	22 January 1863	364 11 9	-	27 "	Expenses not taxed.
343	Declarator and interdict	Pattison v. Meikle	29 July 1863	-	38 4 -	2 March	Declarator and interdict.
344	-	Earl of Fife v. Wilson	28 August 1862	160 - - -	158 1 9	2 "	Absolutor.
345	-	Thomson v. Forbes	24 November 1863	-	15 l. 3 s. 5 d. against pursuer.	2 "	
346	Advocation	Durno v. Leys	15 Feb. 1864, lodged	-	None - - -	2 "	Action dismissed.
347	-	Fergusen v. Gilbert	23 May 1863	-	-	2 "	Absolutor; no expenses.
348	Advocation	Murray & Fullarton v. Stewart & Co.	3 Feb. 1863, lodged	21 l. 9 s. against advocate.	15 19 4	2 March 1864	
349	Reduction, &c.	Bolden v. Mustard	24 June 1861	-	213 2 2	2 "	Defenders to convey the fee of certain subjects to survivor.
350	-	Royal Bank of Scotland v. Macfarlane	2 September 1863	-	None - - -	5 "	Absolutor; no expenses.
351	-	Garden v. Martin	11 August 1862	-	-	5 "	Action dismissed; expenses paid.
352	-	Syme & Bell v. Dalrymple	31 December 1862	-	None - - -	9 "	Absolutor.
353	Suspension	Universal Manure Company v. McLean, &c.	5 Jan. 1864, lodged	-	32 11 10	9 "	Decree suspending charge.
354	-	Bald v. Alloa Infant School	16 November 1863	100 - - -	-	10 "	Expenses not taxed.
355	-	Grieve v. Oswald	2 February 1864	1,661 17 3	None - - -	11 "	Dismissed.
356	-	Adams, &c. v. Borland's Trustees	20 August 1862	-	None - - -	11 "	Originated by petition in inferior court.
357	Advocation	Lade v. Largs Baking Company	-	-	82 3 2	16 "	Absolutor; expenses not taxed.
358	Damages	Thomson, &c. v. Monkland Railway Company.	24 June 1863	-	-	16 "	

359	Damages -	Shanks v. Macfarlane, &c.	15 February 1864	154 18	None	8 8 10	16	Declarator and relief.
360	Declarator, &c.	Greig v. Wallace & Skene	19 June 1860	-	None	-	16	Reduction to a certain extent; <i>quoad ultra</i>
361	Reduction, &c.	Park v. Baird	17 April 1862	-	None	-	16	absolutor.
362	Declarator, &c.	Suttie v. Suttie, &c.	15 February 1864	-	None	-	18	Entail improvements.
363	-	Drummond v. Romback Brothers	14 March 1864	58 10	-	6 17 4	18	Declarator.
364	Declarator	Woodthorpe v. Arthur, &c.	18 February 1864	-	None	-	18	-
365	Separation and aliment	McWhie v. McWhie	24 March 1863	60 l., yearly	-	-	18	-
366	Damages -	Ferguson v. Muir	1 March 1864	300 l., and a sum of 8 l. yearly for 12 years.	-	11 - 1	19	-
367	-	Morgan v. Morgan	3 February 1864	1,852 13 1	None	12 4 5	19	-
368	Advocation	Nelson v. Farrie	15 April 1861, lodged -	-	-	-	19	Advocating cause and dismissing inferior court petition.
369	-	Stewart v. Reddie	4 December 1863	2,000	None	26 6 6	19	Repelled.
370	Suspension	O'Donnell v. Linton, &c.	26 Nov. 1861, lodged -	-	-	-	19	-
371	Advocation	Miller v. Smith	27 Aug. 1863, presented	-	-	-	19	Absolutor; expenses not taxed.
372	Multiple-poincing, conjoined actions.	Purvis's Trustees v. Purvis, &c.	15 July 1858, first dated; 8 January 1861, second dated.	Division of trust funds among beneficiaries.	None	-	19	-
373	Declarator	Sheriff v. McKean	1 March 1864	-	None	-	12 May	Decree of declarator.
374	-	Morton v. Edinburgh and Glasgow Railway Company.	24 November 1863	-	-	-	12	Absolutor; no expenses.
375	-	Hutton v. McFarlane	26 November 1860	-	None	-	12	Declarator to a certain extent; <i>quoad ultra</i> absolutor.
376	Advocation	Scott v. Lockhart	-	-	None	-	12	-
377	-	Burgh of Sanquhar v. Duke of Buccleugh.	30 October 1863	1,156 1 8	None	250 -	12	-
378	-	McDougall v. Galt	-	-	-	-	12	-
379	-	Montanz v. Lord, &c.	18 May 1863	-	None	-	14	Absolutor; no expenses.
380	-	Montanz v. Lord	17 December 1863	-	None	-	14	Absolutor.
381	-	Robertson v. Robertson	9 February 1864	1 l. 4 s., and a sum of 6 s. weekly during pursuer's lifetime.	None	8 7 6	14	Absolutor.
382	-	Salter v. Mackenzie	5 March 1864	702 4 10	-	12 6 3	18	-
383	Suspension	Findlay v. Glen	19 April 1864, lodged -	-	-	13 13 3	18	-
384	-	Clark v. Buchanan	11 April 1864	252	-	10 12 6	18	Suspension and interdict.
385	Furthcoming	Fraser v. Smeaton	13 April 1864	80	-	8 6 5	18	-
386	Declarator	Young v. Taylor	20 April 1864	-	None	-	18	-
387	Adjudication	Ronald v. Lorimer	16 June 1864	-	None	-	18	Declarator.
388	-	Strat, &c., v. McCash	12 April 1864	100	-	13 14 10	18	Constitution and adjudication.
389	-	McCulloch v. McCaskill	11 March 1864	39 10 6	-	8 17 10	18	-
390	-	Donie v. Brisbane's Trustees	11 March 1864	22 14 2	-	8 17 10	18	-
391	-	McIlhennan v. Caledonian Railway Company.	20 December 1862	-	None	-	18	Absolutor.
392	Damages -	McIlhennan v. Caledonian Railway Company.	1 February 1864	-	-	-	18	Action dismissed; expenses not taxed.
393	-	Bruce v. Urquhart	18 March 1864	-	-	-	18	-
394	Implement, &c.	Haldane v. Smith	18 February 1863	Decree for implement and payment of 20 l.	-	50 14 4	18	Decree of sale.
395	-	Carrick v. Smith	12 March 1863	Decree for implement and payment of 20 l.	-	46 12 4	18	-
396	-	Murray v. Palmer	30 September 1863	-	-	-	21	Absolutor.
397	Declarator, count reckoning and payment.	Speirs & Cairns v. Speirs	1 October 1863	-	-	44 l. 12 s. 8 d. against pursuer.	21	Absolutor.
398	Multiple-poincing, &c.	Russell's Trustees v. Smith	12 October 1865	2,950	-	71 l. 19 s. 6 d. against pursuer.	21	Certain claimants preferred.
399	Count reckoning and payment.	Smith v. Pirrie	9 February 1864	120	-	None	21	-
400	Suspension and interdict	Warner v. Skeoch	16 May 1864, lodged -	-	-	8 7 4	25	-
401	Adjudication	Cheyne v. Robertson	16 March 1864	-	-	11 6 11	25	Suspension and interdict.
402	-	Potters v. McLeod	10 December 1863	71 13 1½	-	69 10 9	25	Adjudication.
403	Petition -	Mrs. Jane McDougall	4 March 1864, lodged	-	-	None	27	Protection of wife's property.

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE—<i>continued.</i>							
404	Declarator and interdict	Fanev v. Northern Assurance Company	17 January 1862	£. 1,000	£. 20 11 6	27 May 1864	
405	Declarator and interdict	Campbell v. Nicol, &c.	4 March 1864	-	None	28 "	Declarator and interdict.
406	Declarator and interdict	Campbell v. Craik, &c.	4 March 1864	-	None	28 "	Declarator and interdict.
407	Multiple-poincing	City of Glasgow Assurance Company v. Murray's Trustees.	5 March 1864	288 - 3	47 13 7	28 "	
408	Declarator	Buist v. Hill	18 October 1856	-	8 12 6	2 June "	Absolutor.
409	Declarator of Marriage	Bell v. Grant	4 April 1864	200 -	-	3 "	Expenses not taxed.
410	Reduction	McKay v. McKay	24 March 1864	-	None	4 "	Absolutor.
411	Reduction	Dickson v. Dickson, &c.	28 May 1863	-	29 6 1	8 "	Absolutor.
412	Advocation	Phillips v. Sinclair	-	-	-	8 "	Action dismissed; expenses not taxed.
413	Multiple-poincing	Bank of Scotland v. Mustard	15 March 1861	350 -	None	8 "	Adjudication.
414	Adjudication	Teller v. Richardson	18 February 1864	-	None	10 "	
415	-	Snell v. Livingston	15 March 1864	200 -	14 4 4	10 "	
416	-	Buist v. Hill	15 January 1857	-	43 1 8	10 "	
417	Adjudication, &c.	Dalrymple v. Wilson	12 January 1864	-	None	11 "	Interdict perpetual.
418	-	Robinson & Ridley v. North British Railway Company.	18 November 1863	250 -	87 15 -	15 "	Constitution and adjudication.
419	-	J. & T. D. Ridley v. Eosd.	18 November 1863	750 -	64 18 6	15 "	Declarator and adjudication.
420	Declarator, &c.	Howden (Elphinstone's Trustee) v. Elphinstone, &c.	30 April 1864	-	None	15 "	Declarator and adjudication.
421	Adjudication	Howden (Elphinstone's Trustee) v. Elphinstone, &c.	30 April 1864	-	None	15 "	Declarator and adjudication.
422	Multiple-poincing	Bruce Trustees v. Bruce, &c.	10 April 1865	-	-	15 "	Decree of preference; expenses not taxed.
423	Multiple-poincing	Cahill v. Cahill	13 July 1859	-	-	16 & 18 June "	Proof allowed.
424	Petition for recall of arrestments	Peter Ferrie	28 April 1864, date of Petition.	-	None	23 "	Petition refused.
425	Suspension and interdict	Macdonachie v. Scott, &c.	13 June 1864, lodged	-	19 6 6	22 "	Suspension and interdict.
426	Reduction	Campbell v. Campbell	25 May 1864	-	None	22 "	Reduction.
427	Multiple-poincing	Henry's Trustees v. Henry, &c.	16 December 1859	125 16 9	-	22 "	Action dismissed.
428	Divorce	Ingis v. Ingis	18 May 1864	-	None	23 "	Adjudication.
429	Adjudication	Glennie v. Glennie	25 April 1864	-	None	29 "	Reduction.
430	Reduction	Scott v. Scott, &c.	20 April 1864	-	None	29 "	Decree of exoneration.
431	Multiple-poincing	Smith's Trustees v. Smith, &c.	12 October 1855	-	None	29 "	Divorce.
432	Divorce	Menzies v. Menzies	2 May 1864	-	None	1 July "	Suspension and interdict.
433	Suspension, &c.	Boothwick v. Keith	13 June 1864, lodged	989 10 3	31 9 2	2 "	
434	Count, reckoning and payment	Fulton v. Fulton	10 November 1860	816 14 5	156 19 4	2 "	
435	Furthcoming	Gillie's Executors v. Caledonian Railway Company.	23 May 1864	-	13 11 1	6 "	
436	Damages -	Madox v. Hunter	4 April 1864	-	-	6 "	Assolzie; expenses not taxed.
437	-	Hopkinson, &c. v. Crichton	4 June 1864	-	21 8 2	6 "	Reduction.
438	-	Youngson v. Robertson	9 March 1863	200 -	45 10 10	6 "	Declarator.
439	-	Morton, Whitehead, & Greig v. Smith	18 January 1864	-	67 11 7	13 "	
440	-	Miller v. McKnight	22 February 1864	20 -	22 -	13 "	
441	Declarator, &c.	Lasswade Road Trustees v. Reid & Cox	5 February 1863	24 10 2	None	14 "	
442	Damages -	Luglis v. Seaton	21 June 1864	500 -	13 16 5	15 "	
443	-	Livingston v. Weir & Stevenson	22 June 1864	85 18 5	9 - 7	15 "	
444	Declarator, &c.	Thom v. Mackenzie	23 May 1864	-	None	15 "	Declarator and adjudication.
445	Aliment	Hall v. Galloway	20 October 1863	40 l. yearly	-	2 December "	Expenses not taxed.
446	-	Angus v. Angus	11 February 1863	700 -	215 17 -	15 July "	
447	Divorce	Campbell v. Campbell	14 June 1864	-	28 3 1	16 "	
448	Separation and aliment	-	30 April 1864	60 l. yearly	78 18 8	16 "	

449	Suspension	Bell v. Bennie, &c.	5 April 1864	108 11 7	27 5 9	16	Repelling suspension.
450		Adie v. Adams, &c.	26 May 1864, lodged		11 2 1	20	
451		Smith v. Goldie, &c.	17 December 1858	456 11 6	50 15 -	20	
452		Morton v. Graham	11 December 1863	300 -	253 2 10	20	
453		White, Son, & Co. v. Robertson	11 February 1867			20	
454	Furthcoming	M'Callan v. Buchanan, &c.	30 May 1864	266 6 10	13 17 -	20	Absolutor; no expenses.
455	Declarator, &c.	Leitch v. Leitch	29 June 1864		11 10 5	20	Reduction.
456	Declarator, &c.	Rogerson v. Rogerson's Trustees	21 December 1863	5,000 -	None -	20	
457		Valance v. Haristonge	2 July 1863			12	
458		Haristonge v. Vallance and Kirkpatrick	10 November 1862			12	
459		Jeffrey, Ludlam, & Co. v. Dunlop	29 July 1864	32 19 4	10 19 9	12	Absolutor; no expenses.
460		Mitchell, &c. v. McNeil	13 April 1864	31 18 2	8 16 7	16	Absolutor; no expenses.
461		Cordukes v. Folnigsky	13 April 1864	66 9 4	7 7 10	16	
462		Lockhart & Co. v. Watt	25 July 1864	488 11 -			
463		Baird, Black, & Dill v. Riddell	7 July 1864	91 13 6			
464		Harvey v. Berwick	13 August 1864	30 - 6			
465		Harvey & Co. v. Rankin	15 July 1864	49 2 2			
466	Suspension and interdict	Lord Lovat v. Gordon					
467	Suspension and interdict	Lord Lovat v. McKinnon					
468	Suspension and interdict	Lord Lovat v. Mason					Interdict; expenses not taxed.
469	Suspension and interdict	Lord Lovat v. M'Queen					Interdict; expenses not taxed.
470	Suspension and interdict	Dalhousie v. Thomson					Interdict; expenses not taxed.
471	Damages	Dangerfield v. Harvey					Interdict; expenses not taxed.
472	Declarator	Hoggie v. Miller	22 December 1863		39 -		Solutum for damages passed from.
473	Count, reckoning and payment	Yates' Executors v. Lamond's Trustees	12 May 1864				Decree of declarator.
474	Damages	Purdie v. Brown	14 May 1862				Absolutor; no expenses.
475		Potter v. Potter	10 June 1864	2 2			Expenses not taxed.
476		Gordon v. Copland	6 December 1863	100 -			
477		Aders, Preyer, & Co. v. Mahn, &c.	10 September 1864	130 2 4	16 18 -	23	
478		Kennedy v. Swayne	24 October 1864	481 18 7	10 14 4	23	
479		Mann v. Filday	13 September 1864	23 9 -		23	
480		Potts v. White	25 August 1864	353 17 1	15 14 11	23	
481		Hutchinson & Co. v. White	28 September 1864	90 1 4	8 19 2	23	
482		Jeffs v. Maxwell	10 January 1869	123 10 3	9 9 2	23	
483	Damages	Bain v. Brown	28 September 1864			23	
484	Declarator, &c.	Steele & Co. v. M'Crath	18 August 1864	1 1 -		23	Absolutor.
485		M'Cosh v. Kerr	1 October 1864	369 9 4		23	Expenses not taxed.
486	Suspension and interdict	Lord Abercromby v. Shaw	11 October 1864	150 -		23	Expenses not taxed.
487		Muntz & Co. v. Orr & Co.	29 October 1864	364 18 5	65 - 7	30	Decree of suspension and interdict.
488	Reduction and declarator	Stocker v. Oliver	2 September 1864	1,000 -	11 11 10	30	
489		M'Indoe v. Allison	2 September 1864		18 - 5	30	
490		Torrance v. Johnston	14 January 1864			30	Reduction and declarator.
491		Fenday v. Smith	8 July 1864	33 15 10		30	
492		Muir v. Adam	14 September 1864	10 10 -	17 15 3	30	
493	Damages	Littlejohn v. Smith	2 March 1863	125 8 -	17 10 -	1	1 December
494	Count, reckoning and payment	Graham v. Graham	20 March 1864	200 -	32 13 1	1	
495		Perigal v. Orr, &c.	20 October 1864	10,000 -		3	
496		Scott & Allan v. Corbett	30 March 1864	100 -	15 18 -	7	Expenses not taxed.
497		M'Pherson v. Williams	20 October 1864	30 -	8 16 10	7	
498		Skinner & Co. v. Sweet	5 November 1864	46 17 8	9 10 2	7	
499	Reduction, &c.	Tolmie v. Hutchison	23 October 1864	745 9 6	11 11 5	7	
500	Damages	M'Ilhennan v. Calcedonian Railway Company.	14 June 1860	367 18 8		7	
501	Damages	M'Ilhennan, A. v. Eosd.	14 June 1864			7	Absolutor; no expenses.
502	Damages	M'Ilhennan, I. v. Eosd.	14 June 1864			7	Absolutor; no expenses.
503	Multiple-poining, &c.	Clydesdale Banking Company v. Ferguson		None -		8	Absolutor; no expenses.
504	Suspension and interdict	Mitchell v. Gray				14	Decree of suspension and interdict.
505		Corbett v. Robertson	15 Oct. 1864, presented	14 6 -	8 8 4	14	Absolutor.
506		Bridgeford v. Hook	8 November 1864			14	Adjudication.
507	Adjudication	Brown v. Mackenzie	11 August 1862			14	
			2 June 1864				

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE—<i>continued.</i>							
508	Declarator, &c.	Fulton v. Smith	2 January 1864	None	17 - 7	15 December 1864	Action compromised.
509	Poining the ground	Thomson's Trustees v. Neil	5 August 1864	Claimant Fleming preferred to fund in <i>medio</i> .	28 l. 12 s. and 3 l. 3 s.	15 "	"
510	Multiple-poining	Wilkie v. Brown, &c.	2 June 1864	None	None	16 "	"
511	"	Hamilton, &c. v. McColligan	22 September 1864	31 18 10	8 18 2	16 "	"
512	"	Pender v. Henderson	1 June 1865	4,650 -	635 11 9	16 "	"
513	Count, reduction, and payment	Hall v. McArthur's Trustees	19 October 1864	10,000 l. and 52 l. 18 s. 7 d.	-	17 "	"
514	Reduction, &c.	Stewart v. Watson	4 April 1864	-	-	17 "	"
515	"	Wilkie v. Webb	18 October 1864	345 16 11	8 8 2	17 "	"
516	"	Speirs v. Speirs	10 November 1864	150 -	13 19 10	21 "	"
517	Multiple-poining	Brodie v. Watson and Edmond	11 June 1861	811 l. - s. 8 d. divided among claimants.	None	21 "	"
518	"	Lindsay, Mackay, & Howe v. Clinton	5 November 1863	282 18 6	-	5 January	Expenses not taxed.
519	"	Murphy v. Freebairn or Fairbairn	12 January 1863	-	-	5 "	Absolutor; no expenses.
520	"	Gibbon, &c. (Irving's Trustees) v. Gibbon, &c.	27 June 1862	-	None	5 "	Exonerator and discharge.
521	"	Forbes Leith v. Union Bank, &c.	5 December 1861	-	None	5 "	Absolutor.
522	Divorce	Biagiotti v. De Voto or Biagiotti and Stewart.	30 June 1863	-	45 5 3	8 "	Decree of divorce.
523	Multiple-poining, &c.	Robertson (Reid's Judicial Factor), &c. v. Reid.	2 June 1860	2,868 l. 7 s. 1 d. divided among claimants.	-	8 January and 1 March 1864.	Absolutor; no expenses.
524	"	Sturrock and Sheriff v. Allardice	30 November 1863	-	-	12 "	"
525	"	Pike & Sons v. Gordon	8 December 1863	25 2 6	9 12 10	12 "	"
526	"	Linton v. Shaw	4 December 1863	69 -	8 17 8	12 "	"
527	"	Bryson v. Muirhead, &c.	28 May 1863	-	None	22 June	Absolutor.
528	"	Poor Young v. Boyd and Spencer	21 April 1863	-	136 18 1	12 January and 18 March 1864.	Absolutor.
529	Divorce	Clark v. Hall or Clark	24 February 1863	-	None	14 January 1864	Decree of divorce.
530	"	Dempster v. Davidson (Bowie, &c.)	18 June 1861	-	None	14 "	Declarator, &c.
531	"	Fleming thereafter Borthwick, thereafter Howden v. Elphinstone's Trustees.	22 October 1860	-	None	14 "	Declarator and reduction.
532	Suspension	Fowle v. Morrison	-	-	13 13 -	26 "	Note refused.
533	"	Hutton v. Magistrates of Linlithgow	12 January 1863	125 -	53 2 9	26 "	"
534	"	Brauningham v. Wigham, &c.	22 December 1863	-	None	19 "	"
535	"	Campbell or Foster v. Clinton	19 December 1863	1,000 -	10 - 6	19 "	"
536	"	Union Bank v. Sutherland	14 January 1863	Division of Bank Stock among claimants.	24 l. 9 s. 9 d. against certain claimants.	10 Mar., 15 July, and 25 Nov. 1864.	Decree of declarator and adjudication.
537	Declarator	Hallyburton v. Huntly	12 June 1863	-	None	19 January 1864	Declarator.
538	"	Ross v. Forbes	14 May 1863	39 17 10	-	19 "	"
539	Advocation	Gibson v. Donaldson or Couper	11 May 1863, advocacy lodged.	-	79 19 10	19 January and 1 March 1864	Decree granting interdict.
540	"	Stewart and Manday v. Alexander, &c.	20 April 1863	-	-	21 January 1864	Absolutor; no expenses.
541	"	Douglas' Trustees v. Douglas	10 December 1863	-	None	26 "	Declarator.
542	"	Bain v. McDonnell	23 December 1863	-	None	26 "	Claim repelled.
543	Multiple-poining and exoneration	Paton's Executors v. Paterson, &c.	11 April 1863	-	None	26 "	"
544	"	Moir v. Mercer, &c.	12 November 1863	-	22 10 1	26 "	"
545	"	Maxwell v. Grainger, &c.	30 May 1863	565 -	31 15 10	29 "	"
546	"	Neilson v. Cumming	25 August 1863	10 l. 10 s. in terms of minute.	40 14 5	29 "	"

547	Adjudication	Clayhill v. Rait -	25 February 1863	None -	None -	29	Adjudication.
548	Transference	Cheyne v. Grant and Nicol -	31 December 1863	None -	None -	2 February	Decree of transference.
549	Adjudication	Barlow v. Roidam, &c. -	11 December 1863	None -	None -	2	Adjudication.
550	Adjudication	Trades of Inverness v. Ross, &c. -	8 January 1864	None -	None -	2	Adjudication.
551	Adjudication	Walker v. Mitchell -	4 January 1864	None -	None -	2	Adjudication.
552	-	Donald v. Thomson -	29 June 1863, lodged	None -	56 6 9	3	Decree suspending charge.
553	-	Bouchard v. Bouchard -	30 November 1863	None -	21 12 -	4	Decree of reduction.
554	-	Bell v. Cumming, &c. -	23 March 1863	None -	None -	4	Action dismissed.
555	Suspension	Hume v. Cameron -	23 Feb. 1863, lodged	None -	406 13 1	4	Suspension, &c.
556	Multiple-poinading	Craig's Trustees v. Bizzett or Smith, &c. -	14 December 1867	500 -	None -	20 Jan., and 5 Feb. 1864.	
557	-	Mackenzie, &c. (Dick's Trustees) v. McArthur, -	13 January 1864	2,700 -	10 10 5	9 February 1864	Decree of declaration.
558	Declarator	Clapperton v. Houston -	5 January 1864	-	None -	9	Decree of declaration, implement and re-movng; expenses not taxed.
559	-	Waddell v. McFeat, &c. -	28 December 1863	-	None -	-	Decree of declaration.
560	Declarator	Crauford v. Russell -	5 January 1864	-	None -	9 February 1864	Decree of reduction.
561	Reduction	Turnbull v. Watherstone -	12 February 1863	-	42 16 7	9 and 26 Feb. 1864	
562	-	Grant v. Shaw -	19 February 1863	40 -	172 14 2	9 Feb. and 1 and 18 Mar. 1864.	
563	-	Rankin v. Glenton or Rankin -	9 June 1863	Separation and aliment of 250 l. per annum.	62 16 1	10 Feb. and 1 Mar. 1864.	Decree of divorce.
564	Divorce	Sang or Wemyss v. Wemyss -	8 December 1863	-	20 L. 10 s. 11 d. raiser's expenses.	10 March 1864	Decree of exoneration of nominal raisers.
565	Multiple-poinading	Henderson and Inglis v. Edmeston and Mitchell. -	19 November 1863	Decree of preference for 1,200 L. in favour of claimant.	28 5 5	12 and 15 Mar. "	Decree suspending charge.
566	Suspension	Ballantyne v. Dick & Son -	18 May 1863, lodged	-	206 15 6	24 March "	Decree suspending charge.
567	Suspension	Campbell v. Cowan & Co. -	21 Nov. 1859, lodged	-	10 6 7	16 "	Decree of declarator and absolver.
568	Declarator	Dymock and Mandy v. Newbigging -	7 January 1864	133 6 8	35 -	16 February "	Absolver.
569	-	Miller v. Lemon -	29 May 1863	105 -	57 9 6	16 and 17 Mar. "	No decree for expenses.
570	-	Redpath, Brown, & Co. v. Russell & Co. -	2 June 1857	54 18 10	262 L. 4 s. 1 d. against pursuer.	16 and 17 Mar. "	Claims repelled.
571	-	Russell & Co. v. Redpath, Brown, & Co. -	15 February 1858	-	-	17 February "	
572	-	Harkness v. Jeffrey -	2 December 1863	45 16 4	-	18 "	
573	-	Paterson's Executors v. Paterson, &c. -	11 April 1863	17 L. s. against each of the claimants whose claims repelled.	-	-	
574	-	Lunt v. Barton -	1 February 1864	26 9 1	9 4 4	23 "	
575	-	Frazer v. Smeaton -	30 January 1864	40 -	7 10 9	23 "	
576	-	Lindsay v. Edwards -	11 January 1864	35 -	7 15 2	23 "	
577	Multiple-poinading, &c.	Douglas (Leamouth's Trustees) v. Livingstone, &c. -	5 May 1862	12,049 13 7	157 19 3	23 Feb. and 5 July 1864.	Absolver.
578	-	Gardner v. Russell -	30 April 1863	-	96 4 6	23 Feb. and 8 Mar. 1864.	
579	Multiple poinading, &c.	Williams' Trustees v. Williams, &c. -	14 June 1848	1,576 4 -	71 15 10	25 Feb. and 8 Mar. 1864.	Declarator and adjudication.
580	-	Miller's Trustees v. Miller, &c. -	21 April 1863	5,063 L. 6 s. divided among claimants.	121 12 -	24 Feb. and 12 July 1864.	Declarator and division.
581	-	Miller v. Rogers -	4 November 1858	32 1 4	None -	24 February 1864	
582	-	Watson's Trustees v. Watson -	25 January 1864	-	None -	1 March 1864.	
583	-	Corrigal v. Corrigal -	11 June 1861	-	None -	1 March 1864	Decree of divorce.
584	Divorce	Hamilton or McArthur v. McArthur -	24 December 1863	-	None -	1 March 1864	Decree of divorce.
585	Divorce	Kyle v. Laidlaw, or Kyle and Stewart -	31 October 1863	-	None -	1 "	Absolver.
586	-	MacMillan v. Five Church -	29 November 1862	-	25 8 2	2 March 1864	Reduction.
587	Reduction	Stewart, &c. v. Johnston's Trustees -	21 March 1861	-	None -	3 and 18 Mar. "	Absolver.
588	Declarator	Leadbetter v. Long -	22 November 1862	-	18 18 4	3 and 18 Mar. "	Decree advocating cause and recalling in-tordict.
589	Advocation	Long v. Leadbetter -	16 November 1863	-	16 8 8	-	Action dismissed; expenses not decreed for.
590	-	Hay's Trustees v. Shand, &c. -	19 June 1863	-	None -	3 and 18 Mar. "	
591	-	Royal Bank v. Paterson's Executors -	22 September 1863	Fund in medio, 549 L. divided among claimants.	-	-	

Return of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	REMARKS.
II.—OUTER HOUSE.—<i>continued</i>.							
592	Suspension	Glasgow Gas Light Company v. Adamson.	3 Nov. 1863, lodged	—	£. s. d. — — —	4 March and 15 June 1864	Suspension and interdict.
593	—	Grays v. Smith, &c.	9 February 1864	223 16 1	14 7 7	8 March 1864	Refusing suspension.
594	—	Moyes v. Whiney	11 May 1863, lodged	—	56 L. 7 s. 6 d. against suspender.	8 " "	Refusing suspension.
595	—	Craig v. Whiney	11 May 1863, lodged	—	51 19 1	8 " "	Refusing suspension.
596	—	Mitchell v. Ords	14 May 1863	193 5 —	35 16 4	10, 18, and 27 March 1864.	Decree of absolvitor.
597	—	Alder v. Union Bank	21 July 1862	—	—	10 March 1864	No final judgment within limits of Return.
598	Multiple-pounding	Scottish Amicable Life Assurance Company v. Isaacs.	15 September 1863	—	—	11 " "	Action dismissed; expenses not taxed.
599	—	Bryce v. National Bank	16 November 1863	22,500 — —	240 13 6	15 " "	Absolvitor.
600	—	Hamilton's Trustees v. Gray or Gardner, &c.	5 August 1862	—	—	15 March and 26 May 1864.	Declarator.
601	—	Waters v. Miller	14 December 1863	—	17 17 10	16 and 18 Mar. 1864	Decree in terms of the alternative; declaratory conclusions as to the two defenders, Mrs. Smith and husband; decree in absence v. defender, J. A. Mann; no expenses as to him; other expenses reserved.
602	—	Rennie v. Harkness	7 April 1863	241 9 6½	25 — 7	16 and 18 Mar. 1864	No final judgment.
603	Declarator	Eskine v. Fonth Iron Company	4 February 1864	—	—	17 March 1864.	Decree of reduction.
604	—	Wait v. Hamilton	4 April 1861	211 L. 16 s. 7 d., with legal interest from 21 May 1864.	103 1 4	16 and 18 " "	Decree of declarator and interdict.
605	—	Rust (Smith's Trustees) v. Smith, &c.	14 May 1862	—	—	16 and 18 " "	Decree of declarator and interdict. Expenses not decerned for.
606	—	Laing v. Laing	1 July 1862	26 5 7	70 12 5	17 March and 16 June 1864.	Decree repelling suspension.
607	—	Hume v. Alexander	19 May 1863	—	14 12 11	17 March 1864	Absolvitor; no expenses.
608	Reduction	Howatson v. Aird	16 December 1863	—	—	17 March and 13 May 1864.	Decree of reduction and declarator.
609	Multiple-pounding	Scott (Secoles, J. F.) v. Secoles, &c.	7 February 1861	2,500 — —	—	17 March 1864.	Decree of reduction.
610	Declarator	Petrie, Mortie, Trustees v. Lindsay	4 February 1864	—	—	17 " "	Decree of adjudication.
611	—	M'Yer v. Skinner	27 November 1863	—	—	18 " "	Advocation; settled per minute.
612	Reduction	Muir v. Clazy	20 October 1863	310 9 10	—	18 " "	Advocation; no expenses.
613	Adjudication	Walker v. Ferguson	26 January 1864	—	—	18 " "	Decree of absolvitor.
614	Advocation	Boyd v. Hyndman (drains)	—	—	16 12 3	18 " "	Decree of declarator and removing.
615	Advocation	Boyd v. Hyndman (footpaths)	—	—	13 7 7	18 " "	Decree of declarator and interdict.
616	Advocation	Hyndman v. Boyd	—	—	—	18 March 1864	Decree of declarator and interdict. Expenses not decerned for.
617	Choosing Curators	Campbell v. Campbell, &c.	16 November 1863	—	—	18 " "	Decree of declarator and interdict.
618	—	M'Kay, &c. v. George Leslie & Co.	19 November 1862	—	—	18 " "	Decree of declarator and interdict.
619	—	Hutton, &c. v. Leslie, &c.	11 February 1863	—	—	18 " "	Decree of declarator and interdict.
620	Declarator, &c.	Glasgow v. Smith	4 April 1864	—	20 — —	12 May " "	Decree of declarator and removing.
621	—	Crosley Brothers v. Stewart	16 March 1864	223 4 8	11 2 6	12 " "	Decree of declarator and removing.
622	Suspension	Ailsa v. M'Clymont	17 March 1864, lodged	—	14 16 3	12 " "	Decree of declarator and removing.
623	Declarator, &c.	Stewart, &c. v. M'Aulays	31 May 1862	—	232 8 —	12 May and 2 Dec. 1864.	Decree of declarator and interdict.
624	—	George and North v. Cumming	8 May 1863	—	70 — —	12 May " "	Decree of declarator and interdict.
625	—	Torrance v. Orr	14 March 1864	Against Orr for 2 L. 10 s. of inlying charges, and 8 L. per annum for aliment.	—	12 " "	Decree of declarator and interdict.
626	Suspension	Campbell v. Bryson	22 Jan. 1862, lodged	—	—	12 " "	Decree repelling suspension.
627	—	Balgarnie v. Gill, &c.	29 May 1862	—	—	12 " "	Absolvitor; no expenses.
628	Reduction, &c.	M'Gowan v. Robb, &c.	4 June 1862	—	—	13 May and 19 July 1864.	Decree of reduction and declarator.

Return of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—continued.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	REMARKS.
II.—OUTER HOUSE.—continued.							
677	-	Dick v. Malcolm	3 May 1864	£. s. d. 250 - -	£. s. d. 12 11 6	22 June and 20 July 1864.	
678	-	Beattie v. Lyon	7 October 1863	48 14 8	137 16 11	23 June and 20 July 1864.	
679	-	Reid v. Scott	21 May 1864	35 13 2	8 5 11	28 June 1864.	
680	Declarator	Haviland v. Her Majesty's Lieges	27 May 1864	-	None	28 "	Decree of declarator.
681	-	Hamilton v. Western Bank	30 January 1860	-	-	28 "	Expenses not taxed.
682	Divorce	Paterson or Christie v. Christie	12 May 1864	925 4 7	None	28 "	Decree of divorce.
683	Declarator	Thomson v. Scott	10 June 1863	-	None	29 "	Decree of declarator.
684	Divorce	Commons or Miller v. Millar	20 June 1863	-	None	30 "	Decree of divorce.
685	Declarator, &c.	Buccleugh v. Haig	20 January 1864	-	30 7 10	30 "	Decree of declarator, &c.
686	-	Dryburgh v. McLiverty	19 July 1859	-	None	1 July	
687	Declarator and adjudication	Renwick v. Renwick	2 June 1864	2 <i>l.</i> , and an annual sum of 8 <i>l.</i> for 12 years.	8 16 7	5 "	
688	-	Curse v. Nisbett, &c.	23 May 1864	-	None	5 "	Decree of declarator and adjudication.
689	-	Insurance Company of Scotland v. Pattullo	8 January 1863	32 16 8	12 12 -	5 "	
690	Divorce	Irving v. Hastie or Irving	4 May 1864	50 - -	None	6 "	
691	Multiple-poining	Sibbald's Trustees v. Sibbald, &c.	2 March 1864	-	None	6 "	
692	Multiple-poining	Cockburn's Trustees v. Cockburn, &c.	3 February 1862	20 15 2	137 11 -	7, 13, and 15 July 1864.	Decree of divorce.
693	-	Wood, &c., Hume's Marriage Contract Trustees v. Macdonald Hume, &c.	3 December 1862	14,005 <i>l.</i> 1 <i>s.</i> 4 <i>d.</i> divided among claimants.	None	7 July 1864	Decree of exoneration, &c.
694	-	Lockhart, &c., v. Smith, &c.	20 May 1864	-	None	-	
695	-	Cook & Davidson v. Roy, &c.	30 March 1863	-	None	7 July and 15 November 1864.	Certain subjects and bank stock to be conveyed to defender Hume, Curatorial inventories.
696	Multiple-poining, &c.	Rogers' Trustees v. Rogers, &c.	8 June 1864	165 18 3	10 9 1	8 July 1864	
697	Multiple-poining, &c.	McNeill & Gillanders	19 February 1864	-	52 11 4	12 "	Raiser's expenses; no final judgment.
698	-	Barr v. Glasgow, Dumbarton, and Helensburgh Railway Company.	28 November 1862	4,926 <i>l.</i> 10 <i>s.</i> 1 <i>d.</i> divided among claimants.	None	12 and 19 July 1864.	
699	Suspension	Webster v. Cargill	11 July 1862	-	29 - -	12 July 1864	Final judgment not within limits of return.
700	-	Pollock v. Meikle	4 June 1864	106 8 6	None	13 "	Expenses not taxed.
701	Declarator	Miller & Crawford v. McCaul	18 May 1863, lodged	-	-	13 July and 30 November 1864.	Suspension and interdict.
702	Declarator, &c.	Magistrates of Perth v. Ritchies	8 November 1860	268 3 5	17 6 9	14 July 1864	Decree of declarator.
703	-	Turner v. Reid, &c.	9 June 1864	-	None	15 "	Decree of declarator and adjudication.
704	-	Haldane (Watsons, C. B.) v. Haldane	22 June 1864	-	None	15 "	
705	-	Cox, &c., Fraser's Trustees v. Cox, &c.	15 July 1864	-	None	19 "	
706	-	Thomson's Trustees v. Livingstone, &c.	7 April 1863	3,547 11 10½	None	19 "	
707	-	Dove v. McLean	14 Jan. and 11 May 1863	-	-	19 "	
708	Declarator	Scottish Union Insurance Company v. Grant	25 June 1864	140 - -	-	-	Absolutor; no expenses.
709	Multiple-poining, &c.	Bryden's Trustees v. Bryden, &c.	25 June 1864	-	None	-	Expenses not taxed.
710	-	Richardson v. Skinner & Penney	11 October 1861	20 5 2	None	19 July 1864	Decree of declarator.
711	-	Howden v. Borthwick	7 March 1864	-	None	19 "	
712	-	Taylor, &c., v. Dennistoun	15 - -	750 - -	10 5 7	19 "	
713	Divorce	Smith or Lunsden v. Lunsden	27 February 1860	-	None	19 "	
714	-	Chisholm v. Young, Forthingham & Company.	27 October 1863	-	-	19 "	Absolutor; no expenses.
715	Declarator	Graham v. Young	6 June 1863	307 19 2	-	19 "	Action dismissed; no expenses.
716	-	Aitken v. Harper, &c.	20 October 1858	-	-	19 "	No expenses.
717	-	Atlas Assurance Company v. McLennan	12 March 1864	162 - -	None	19 "	Decree of declarator.
718	-	Murray's Trustees v. Taylor's Trustees	26 May 1862	86 3 -	None	15 November "	Expenses not taxed.
719	Constitution, &c.	Jameson v. Jack, &c.	11 July 1864	-	-	15 "	Decree of declarator, and removing; expenses not taxed.
720	-	Rufford v. Gordon	1 July 1864	56 2 -	None	15 "	Decree of constitution and adjudication.

721	Robertson v. Irving	13 January 1864	-	-	-	-	-	-	-	15	"	"	Absolutor; no expenses.
722	Ord v. Mackenzie	20 April 1864	-	-	-	-	-	-	-	17	"	"	Expenses not taxed.
723	Edward & Robertson v. Robertson	8 December 1863	-	-	-	-	-	-	-	17	November 1864	"	In terms of minute by parties the Lord Ordinary found it not necessary to dispose of conclusions of summons, but only found expenses due for which decree granted.
724	Livingston v. Livingston	4 February 1863	-	-	-	-	-	-	-	17	"	"	Absolutor.
725	Wyllie v. Boyd	15 June 1864	-	-	-	-	-	-	-	18	"	"	Expenses not taxed.
726	Cochrane, Paterson & Company, v. Anderson.	23 February 1864	-	-	-	-	-	-	-	18	November and 7 December 1864	"	Decree for implement of contract; expenses not taxed.
727	Wallace v. Wingate	24 August 1864	-	-	-	-	-	-	-	22	November 1864	"	Expenses not taxed.
728	F. Richardson & Company v. Calderwood	23 September 1864	-	-	-	-	-	-	-	22	"	"	Decree of declarator.
729	Hunt & Winterbottom v. Copland	13 October 1864	-	-	-	-	-	-	-	22	"	"	No final judgment within limit of Return only for certain expenses.
730	Henderson v. Niven, &c.	20 June 1864	-	-	-	-	-	-	-	22	"	"	Suspending charge.
731	Duke of Argyll v. Her Majesty's Advocate	8 September 1864	-	-	-	-	-	-	-	22	"	"	Inventories approved of.
732	Anderson v. Spence	26 September 1864	-	-	-	-	-	-	-	22	"	"	Separation.
733	Dunlop Douglas v. Douglas	24 June 1862	-	-	-	-	-	-	-	22	"	"	Decree of removing; no expenses.
734	Brodie v. Connell	29 August 1864	-	-	-	-	-	-	-	22	November and 8 December 1864	"	Decree of divorce.
735	Harper v. Harper, &c.	30 March 1864	-	-	-	-	-	-	-	25	"	"	Real raiser's expenses; no final judgment within limit of return.
736	Kirkwood v. Kirkwood	12 September 1864	-	-	-	-	-	-	-	25	"	"	Expenses not taxed.
737	Sheriff v. Ritchie	4 June 1862	-	-	-	-	-	-	-	29	"	"	Expenses not taxed.
738	Seydel Asphaltic Company v. Stewart	18 February 1863	-	-	-	-	-	-	-	29	"	"	Expenses not taxed.
739	Crammond v. Black or Crammond	18 May 1864	-	-	-	-	-	-	-	29	"	"	Decree of declarator.
740	Watt v. Hederwick	1 June 1864	-	-	-	-	-	-	-	2	December	"	Absolutor; no expenses.
741	National Bank v. Bryce	18 January 1864	-	-	-	-	-	-	-	6	"	"	Decree of declarator.
742	Robinson & Fleming v. Orr	24 October 1864	-	-	-	-	-	-	-	6	"	"	Decree of declarator and adjudication.
743	Calder & Company v. Howie	20 September 1864	-	-	-	-	-	-	-	6	"	"	Decree of constitution and adjudication.
744	McNeill v. McNeill	1 September 1864	-	-	-	-	-	-	-	6	"	"	Decree of constitution and adjudication.
745	Pooky & Mandt, v. Clyde Shipping Company.	31 October 1864	-	-	-	-	-	-	-	6	"	"	Decree of declarator.
746	Renwick, &c., v. Stewart	25 June 1864	-	-	-	-	-	-	-	8	"	"	Parties; expenses reserved.
747	Brander & Company v. Mackenzie, Clunes, and Hallard.	20 April 1864	-	-	-	-	-	-	-	9	"	"	Decree of declarator.
748	Baillie v. Hay	19 February 1863	-	-	-	-	-	-	-	9	"	"	Exonerator of raiser.
749	Kesslor & Company v. Hahn & Vogel	31 October 1864	-	-	-	-	-	-	-	13	"	"	Decree of declarator.
750	Mackay v. Ross	20 October 1864	-	-	-	-	-	-	-	35	"	"	Exonerator of raiser.
751	Rutherford, &c., v. Lindsay	10 November 1864	-	-	-	-	-	-	-	267	"	"	Decree of declarator.
752	Magistrate of North Berwick v. Gille, &c.	4 May 1864	-	-	-	-	-	-	-	7	"	"	Parties; expenses reserved.
753	Annandale v. Cameron	11 February 1864	-	-	-	-	-	-	-	13	"	"	Decree of declarator.
754	Inglis v. Steel	7 August 1863	-	-	-	-	-	-	-	15	"	"	Decree of constitution and adjudication.
755	Latta v. Henderson	31 August 1864	-	-	-	-	-	-	-	16	"	"	Decree of declarator.
756	Ricketts or Campbell v. Campbell	26 September 1862	-	-	-	-	-	-	-	20	"	"	Expenses not taxed.
757	Geddes & Company v. Hauptman & Company.	8 November 1864	-	-	-	-	-	-	-	20	"	"	Decree of suspension and interdict.
758	Smith, &c., v. Morrison	26 October 1864	-	-	-	-	-	-	-	21	"	"	Remitted to sheriff simpliciter.
759	Shepherd or Kay v. Kay	8 November 1864	-	-	-	-	-	-	-	21	"	"	Action dismissed <i>quoad</i> John Anderson; no expenses decreed for.
760	Dunn's Trustees v. Dunn	27 March 1862	-	-	-	-	-	-	-	22	"	"	
761	Pollok v. Barclay, &c. (University of Glasgow.)	-	-	-	-	-	-	-	-	20	"	"	Decree of suspension; expenses not taxed.
762	Elder v. Grahame	17 November 1864	-	-	-	-	-	-	-	20	"	"	Decree of declarator.
763	Gordons v. McDougall	4 November 1864	-	-	-	-	-	-	-	20	"	"	Expenses not taxed.
764	Thomson v. Jenkin	8 November 1864	-	-	-	-	-	-	-	20	"	"	Decree of suspension and interdict.
765	Ross v. Forsyth	12 Dec. 1864, lodged	-	-	-	-	-	-	-	21	"	"	Remitted to sheriff simpliciter.
766	Stamford & Warrington v. Jeffs	-	-	-	-	-	-	-	-	21	"	"	Action dismissed <i>quoad</i> John Anderson; no expenses decreed for.
767	Anderson v. Scottish North Eastern Railway Company.	6 June 1863	-	-	-	-	-	-	-	21	"	"	
768	Young v. Scott	6 July 1864	-	-	-	-	-	-	-	22	"	"	

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE—<i>continued.</i>							
769	-	Argyll, &c. (Bury Trustee) v. Brown	16 April 1862	15,000 l. divided among claimants.	None	23 December 1864	
770	-	Brown v. Cumming	12 January 1864	200	39 14 10½	23	
771	-	Stevenson v. Henderson	7 August 1862	58 17 5½	53 9 7	5 January	
772	-	Anderson v. Graham	-	10 l. per annum for 12 years, and 2 l. 10 s. of inlying charges.	8 10 5	5	
773	Reduction and removing	Lawson v. Henderson	22 September 1863	-	-	8	Decree of reduction; no expenses.
774	Payment and reduction	Lumsden v. Dalgleish	7 December 1860	-	-	9	Absolutor; no expenses.
775	-	Callender v. Melville	24 June 1862	-	-	9	Absolutor; no expenses.
776	-	Cunard & Co. v. Smith & King	10 June 1863	-	17 18 6	9	Absolutor.
777	Adjudication in implement	Manual v. Hodge	4 December 1863	-	None	12	Decree of adjudication.
778	Furthcoming	Shearer v. Learmouth	9 December 1863	200	11 11 4	12	
779	Petition for protection	Turnbull v. Turnbull	15 Oct. 1863, lodged	-	-	16	
780	-	Bruhn v. Grunwaldt	4 November 1863	-	14 l. 19 s. 4 d. against pursuer.	20	Protection of wife's property.
781	Advocation	Peters v. Gray	18 July 1863, lodged	-	8 l. 12 s. 8 d. against advocator.	19	Decree dismissing inferior court action.
782	Multiple poinding	McDonald v. McDonald's Trustees	13 May 1861	175	30	20	
783	-	Cullen's Executors v. Brown	18 September 1863	430 10 3	18 5 4	26	
784	Suspension	Gleddon v. Paterson	9 April 1863, lodged	-	53 10 10	26	Decree of suspension.
785	-	Laughland v. Reid	7 November 1862	100	-	23	
786	Declarator and interdict	Grozier v. Kirkwood	13 January 1863	-	-	26	Decree of declarator and interdict; expenses not decerned for.
787	Multiple poinding	Dun v. Dun	16 April 1863	511 l. 5 s. 4 d. divided among claimants.	None	2 February	
788	Advocation	Magistrates of Perth v. Picaithley	6 January 1863, lodged	-	14 l. 13 s. 3 d. against advocator.	2	Remit to sheriff.
789	-	Hay v. Magistrates of Perth	2 October 1860	-	None	2	
790	Separation and aliment	Taylor v. Taylor	19 November 1863	Separation and aliment of 10 l. yearly.	42 16 2	4	Decree of reduction.
791	-	Clyde Shipping Company v. London and Limerick Company.	7 May 1862	1,500	-	5	
792	Count and reckoning	Colquhoun v. Colquhoun	8 July 1854	827 2 7	-	6	
793	Advocation	Deans v. Thomson	15 Oct. 1853, lodged	-	-	6	
794	Damages	Muir v. McMinn	23 December 1863	20 10	-	11	Absolutor.
795	Declarator	Donaldson v. Dobbie	11 May 1863	-	20 19 10	11	
796	Multiple-poinding	Wemyss's Trustees v. Forbes	29 November 1859	4,247 l. 15 s. fund in medio divided among claimants.	None	13	Decree of declarator.
797	-	Newbigging v. Newbigging	7 January 1864	33 6 8	10 8 11	16	
798	-	McKinnon v. Bisset	21 January 1864	380 16 6	9 11 8	16	
799	Multiple-poinding, reduction, and declarator.	Orr v. Napier, &c., conjoined actions	12 November 1863	-	None	16	Decree of reduction and declarator.
800	Advocation	Graham v. Free St. Mary's	16 July 1863, lodged	-	-	26	Reasons repelled; no expenses. Assolized.
801	Advocation	Neilson v. McKean	22 May 1863, lodged	-	120 l. 12 s. 9 d. against advocator.	26	
802	Reduction and damages	Low v. Anderson	14 August 1861	-	-	27	Decree of reduction; damages departed from, expenses not decerned for.
803	Con.	Nicol v. Taylor	11 December 1863	656 15 6	8 6 4	1 March	
804	-	McLean v. Giles	28 January 1864	60	8 6 8	1	
805	-	Leith v. Leith	3 November 1862	-	-	1	Absolutor; no expenses decerned for.

Separation and aliment	Tenton v. Fenton	14 December 1863	20 £. per annum during separation, and 7 £. per annum for 14 years.	74	5	5	2	"
Divorce	Sutherland v. McAllister	27 January 1864	-	-	-	-	2	"
-	Scott v. Elliot	25 November 1863	-	-	-	-	3	"
-	Webster v. Davy	3 July 1863	-	-	-	-	4	"
Suspension and interdict	Brydon v. Tait	18 April 1863, lodged -	-	-	-	-	4	"
-	Hutton and Company v. Young or Russell.	11 February 1864	90 £. 8 s. 10 d. and 62 £. 9 s. 3 d. with interest thereon till paid.	-	-	-	8	"
-	Gibson v. Anderson's Trustees	13 January 1864	-	-	-	-	8	"
-	Johnston v. Elmslie Smith	8 January 1864	-	-	-	-	9	"
Adjudication } conjoined	Allison v. Pearson	7 January 1864	46 11 2½	-	-	-	10	"
Adjudication }	Thomson v. Pearson	17 February 1864	-	-	-	-	11	"
Count, reckoning and payment	Girdwoods v. Russell, &c.	20 January 1859 -	67 15 1	-	-	-	15	"
-	Turnbull v. Hopark	19 December 1863	-	-	-	-	15	"
-	Slater v. Willet	17 February 1864	-	-	-	-	15	"
Declarator	Howie's Trustees v. Howie	16 February 1864	59 7 1	-	-	-	15	"
-	Hardie v. Marshall	4 February 1864	-	-	-	-	15	"
-	Reid v. Duke of Montrose	1 December 1863	140 -	-	-	-	16	"
-	Gordon or Ferrier v. McEwan	2 October 1862	40 -	-	-	-	16	"
Multiple-poiniding	Wedderspoon v. Archer	18 October 1862	1,593 £. 8 s. 1 d. fund in medio divided among claimants.	-	-	-	17	"
-	Bank of Scotland v. Ogilvie	17 December 1861	50 £. fund in medio divided among claimants.	-	-	-	17	"
Multiple-poiniding	McAslan v. Austin	29 October 1858 -	225 £. to one claimant to account <i>pro tanto</i> .	-	-	-	19	"
-	Carlyle v. Rankin or McAlpine	3 March 1863	1,394 14 5	-	-	-	19	"
-	Fonlds v. McCallum, &c.	27 February 1863	282 5 -	-	-	-	19	"
-	Robson v. Thomson	13 February 1863	95 -	-	-	-	19	"
-	Ridley v. Cars	31 July 1862	-	-	-	-	19	"
-	McIntosh v. Dundas	-	169 14 1	-	-	-	19	"
-	Scott's Executors v. Scott's Trustees	28 October 1863	29 7 10	-	-	-	14 May	"
-	Riddells v. Margaret Riddell	25 February 1864	99 £. 4 s. and an annual sum of 6 £.	31	5	6	17	"
-	Brown v. Sutherland or Reoch	17 December 1863	-	-	-	-	17	"
Advocation	Stevenson v. Bank of Scotland	18 April 1861, called	-	-	-	-	19	"
-	Brodie v. Davidson	3 November 1863	-	-	-	-	19	"
-	McKeen v. Adair	20 October 1862	-	-	-	-	28	"
-	Kellakin v. Dickie's Trustees	1 December 1862	-	-	-	-	28	"
-	McLachlan v. Lyon Brodie	24 March 1864	-	-	-	-	31	"
-	Wilkie v. Lyon Brodie	-	375 13 6	-	-	-	31	"
Multiple-poiniding	Abercrombie's Trustees v. Cook	17 May 1862	46 14 6	-	-	-	31	"
Damages	Deas or Allan v. Clark	22 January 1864	5 -	-	-	-	2 June	"
Separation and aliment	Carmichael v. Carmichael	15 April 1864	-	-	-	-	7	"
Count, reckoning, and payment	McLaren or Law v. Wilson	10 November 1856	-	-	-	-	7	"
-	Fisher and Watt v. Robinson	11 April 1864	17 19 5	-	-	-	7	"
Declarator	Nisbett or Diggins v. Gordon	26 February 1864	-	-	-	-	7	"
Multiple-poiniding	Lindsay v. Earl of Buchan	9 January 1841 -	20 -	-	-	-	7	"
-	Oldroyd & Sons v. Cardno	5 April 1864	50 -	-	-	-	8	"
-	Walls v. Hamilton	5 April 1864	57 6 7	-	-	-	14	"
Impliment	Provan v. Provan's Trustees	22 April 1864	500 -	-	-	-	14	"
-	Stewart v. Kellie McCallum	2 September 1863	-	-	-	-	16	"
-	McIntosh v. J. G. Robertson	28 April 1864	-	-	-	-	16	"
Multiple-poiniding	Montgomerie's Trustees, &c. v. Alexander.	29 January 1863 -	35 £. 13 s. 9 d. to two claimants with certain interest.	-	-	-	17	"

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1863, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	REMARKS.
II.—OUTER HOUSE—<i>continued.</i>							
853	Wak and transference	Bell v. Blake or Anderson	12 May 1864	-	-	21 June 1864	Decree of transference. No expenses.
854	-	Thompson v. Urquhart, Anderson & Co.	15 October 1863	-	-	28 "	Expenses not decerned for.
855	-	Crop v. Brown and Bennie	11 November 1863	-	-	28 "	Absolutor. Expenses not decerned for.
856	-	Fraser v. MacDonald	1 October 1863	-	-	30 "	-
857	Reduction and damages	MacDonald v. Dobbie	23 July 1863	-	106 -	30 "	Decree in terms of the reductive conclusions as to the second writ libelled. Expenses reserved.
858	-	Darlington and Son v. Herbert, &c.	15 June 1864	-	-	5 July	-
859	Multiple pointing	Wemyss (Trustees) v. Wemyss, or Forbes	29 November 1859	-	7 16 1	7 "	-
860	Multiple pointing	Allan's Trustees v. McIntyre	20 November 1862	-	None -	9 "	-
861	Exoneraton and discharge	Canning-Borton's Trustee v. Fraser	2 November 1863	-	95 1 -	13 "	Declarator and exoneration.
862	-	Hardie v. Marshall	4 February 1864	-	-	13 "	Absolutor. No expenses.
863	-	Watts & Co. v. Carnegies	10 June 1864	-	11 18 3	14 "	-
864	Multiple pointing	Carlyles, Johnston's Trustees v. Johnston	12 January 1863	-	None -	14 "	Decree of exoneration and discharge.
865	-	Morris v. Paul	19 March 1864	-	-	14 "	Expenses not decerned for.
866	Multiple pointing	Wingate and Henderson's Trustees v. Henderson	9 December 1862	-	100 12 6	16 "	-
867	Suspension and interdict	Cumming or McNish v. Guinness	17 July 1862	-	134 12 5	16 "	Suspension of sale.
868	Divorce	Hamilton or Boyd v. Boyd	14 June 1864	-	39 17 8	16 "	Decree of divorce.
869	Multiple pointing and exoneration.	Fergus v. Roy	12 November 1862	-	None -	16 "	-
870	-	McGregor v. Young	6 May 1864	-	-	20 "	-
871	-	Hay v. Cunningham	29 June 1864	-	10 7 8	20 "	-
872	-	Neston v. Mitchell, &c.	22 June 1864	-	9 10 6	20 "	-
873	Reduction	Fleming v. Dow	3 October 1861	-	20 - 3	20 "	-
874	-	Sinclair or Dickson v. McMillan	25 June 1864	-	None -	20 "	Absolutor.
875	-	Lawson v. Dun or Lawson	26 May 1864	-	9 3 6	20 "	-
876	Multiple pointing	Fergus v. Roy	12 November 1862	-	None -	20 "	Decree of reduction.
877	-	Aitchison v. Steven	8 February 1864	-	-	20 "	Expenses not decerned for.
878	Declarator and payment	Stuart v. East Side Bridge Trustees	2 April 1864	-	15 12 3	12 November	Absolutor.
879	Expiry of legal	Hill, or Veitch v. Veitch	10 August 1864	-	None -	15 "	Decree of expiry of legal.
880	Pointing ground	North British Indosure Company v. Mackenzie.	12 July 1864	-	10 17 6	15 "	Decree of pointing the ground.
881	Reduction	Gray or Sim v. Bain	26 July 1864	-	None -	15 "	Decree of reduction.
882	Declarator and removing	Currie, &c. v. Kerr	15 June 1864	-	12 6 3	15 "	Decree of declarator and removing.
883	-	Callender v. Sloat	16 August 1864	-	10 18 11	15 "	-
884	-	Walker v. Cameron	4 January 1864	-	-	15 "	Expenses not taxed.
885	-	Weir v. J. M. Mowbray	21 June 1864	-	8 6 7	15 "	-
886	Expiry of legal	Shields v. White	30 June 1864	-	None -	15 "	Decree of expiry of legal.
887	-	Laurie v. McKenzie	25 August 1864	-	-	15 "	Expenses not taxed.
888	Declarator and adjudication	Morris Trustees v. Forman	10 August 1864	-	None -	15 "	Decree of declarator and adjudication.
889	Multiple pointing and declarator	Whitson, &c. (Hutchison Trustees) v. Anderson and others, Dufus Trustees.	20 November 1863	-	20 l., modified	15 "	-
890	Multiple pointing and exoneration.	Middleton v. Graham	15 June 1863	-	47 - -	19 "	-

No.	Case	Date	Amount	Notes	Result	Remarks
891	Separation and alimony	11 July 1864	-	M'Lean v. M'Lean	-	Absolutor.
892	-	7 July 1864	100	Thomson v. Miller and Russell	-	-
893	-	7 July 1864	500	Jameson v. M'Phie v. Cameron	-	-
894	Poining ground	2 August 1864	-	Earl Fitzwilliam v. M'Kenzie	-	-
895	Suspension and interdiction	14 Nov. 1864, lodged	-	Anderson v. Davidson	-	-
896	Declarator and adjudication	20 September 1864	-	M'Farlane v. Bennie	-	-
897	-	5 October 1864	717 10	Reid & Co. v. Frayer and Lincoln	-	-
898	Malis and duties	26 October 1864	-	Robertson v. Smith	-	-
899	Adjudication	7 April 1864	-	Nicol v. Taylor	-	-
900	-	26 May 1864	-	Lindsey v. Morrison	-	-
901	-	22 September 1864	73 7 6	Cunninghams v. Smith	-	-
902	Constitution and adjudication	11 October 1864	-	Davie or Izett v. Davie	-	-
903	-	7 October 1864	25	M'Millan v. Urquhart	-	-
904	Declarator and adjudication	31 October 1864	-	Clark, &c. (Brash Trustees) v. Brash	-	-
905	Relief and damages	4 March 1864	18 14 5	Howden, Cockburn's Executors v. Watson	-	-
906	-	14 October 1864	500	Lander v. Wright	-	-
907	-	30 June 1864	-	Skinner v. Geddes	-	-
908	Declarator	1 August 1864	-	Sin v. Sim, &c.	-	-
909	-	30 June 1864	199 10 4	Stewart v. Monro	-	-
910	Multiple pointing and exoneration	13 October 1864	750	Graham, &c., Smith's Trustees v. Legatees	-	-
911	-	24 October 1864	210 12	M'Lean v. Fraser	-	-
912	Reduction and damages	30 May 1864	-	Crawford v. Hosie	-	-
913	-	13 July 1864	100 11	M'Cracken v. Folingsby	-	-
914	-	30 January 1862	64 17 8	M'Laren v. Ferrier	-	-
915	Multiple pointing	9 January 1841	1,556 3	Lindsey v. Earl of Buchan	-	-
916	-	28 May 1864	-	Renton v. Goldie	-	-
917	Suspension and interdiction	8 Dec. 1864, lodged	-	Bryson v. Field	-	-
918	Advocation	2 May 1864	-	M'Kelvie v. Campbell	-	-
919	Renewal of lease	22 November 1848	-	Wight, &c. v. Earl of Hopetoun	-	-
920	Damages	-	-	Wight, &c. v. Earl of Hopetoun	-	-
921	Multiple pointing	9 January 1841	2,000	Lindsey v. Buchan	-	-
922	Suspension	27 June 1864, lodged	-	Wemyss v. Chalmers	-	-
923	Subpoena	9 November 1857	310 l. under deduction of 143 l. 8 s. 9 d.	Lord Advocate v. Carson	-	-
924	Subpoena	31 March 1863	96	Lord Advocate v. Bowie	-	-
925	Penalty	5 February 1864	30	Queen's Remembrancer v. Septon	-	-
926	Subpoena	15 October 1863	50	Lord Advocate v. Campbell	-	-
927	Apprist	14 January 1864	-	Seizing of the Pampero	-	-
928	Drainage rent	27 April 1864	48 15 1	Queen's Remembrancer v. Wilkie	-	-
929	Drainage rent	11 May 1864	16 5	Queen's Remembrancer v. Ross	-	-
930	Drainage rent	7 May 1864	72 14 9	Queen's Remembrancer v. Fraser	-	-
931	Subpoena	4 May 1864	15	Lord Advocate v. M'Nab	-	-
932	Subpoena	5 May 1864	5 12	Lord Advocate v. Carson	-	-
933	Subpoena	3 March 1864	11 6	Lord Advocate v. Johnston	-	-
934	Subpoena	20 April 1864	-	Lord Advocate v. Kean	-	-
935	Fine	20 July 1864	5 11 1	Queen's Remembrancer v. Fraser	-	-
936	Fine	20 July 1864	1 1	Queen's Remembrancer v. Fairbairn	-	-
937	Fine	20 July 1864	1 1	Queen's Remembrancer v. Stewart	-	-
938	Fine	20 July 1864	5 11 1	Queen's Remembrancer v. Badenoch	-	-
939	Fine	20 July 1864	5 11 1	Queen's Remembrancer v. Macdonald	-	-
940	Penalty	20 July 1864	15	Queen's Remembrancer v. Sutherland	-	-
941	Penalty	20 July 1864	10	Queen's Remembrancer v. M'Innes	-	-
942	Drainage rent	19 November 1864	16 5	Queen's Remembrancer v. Ross	-	-
943	-	3 June 1859	293 11 11	Buchanan v. Sloan	-	-
944	-	18 June 1863	243 11 7	Swan v. Rae	-	-

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued.*

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	REMARKS.
II.—OUTER HOUSE—continued.							
945	Declarator and adjudication	Fisher v. Fisher	12 November 1863	-	-	27 February 1864	Decree of declarator and adjudication.
946	-	Lawrie's Trustees v. Utterson	2 December 1863	-	-	5 January "	-
947	Suspension and interdict	Burgesses of Dundee v. Dundee Incorporation.	-	74 - -	-	5 "	No pecuniary conclusion; expenses not taxed.
948	Declarator and irrit	Jerden, &c. v. Boswell	26 November 1863	-	-	5 "	Decree of declarator and adjudication.
949	Damages	Hills v. Collins	9 June 1863	-	None -	5 "	Expenses not taxed.
950	Reduction	Brown, &c. v. Nimmo, &c.	5 August 1862	50 - -	-	26 May "	Defenders assolized; no expenses.
951	-	Trotter v. Waddie	10 January 1863	231 9 7	-	7 January "	-
952	Declarator and irrit	Borman, &c. v. Johnstone	7 December 1863	-	27 3 5	12 "	Decree of declarator.
953	Declarator and adjudication	Steele's Trustees v. Blain, &c.	27 October 1863	-	9 17 10	12 "	Declarator and adjudication.
954	-	Spewart & Co. v. Jastran	9 December 1863	-	None -	12 "	-
955	Declarator, &c., conjoined pro.	Gray's Trustees v. Crichton and Robertson, <i>et e contra.</i>	2 February 1861, and 5 June 1861	40 - -	7 13 8	12 "	Decree of declarator, &c.
956	-	Graham v. Steven	25 September 1863	70 8 10	-	19 "	-
957	-	Behrend & Co. v. Smith & Co.	14 December 1863	2,170 4 8	10 18 -	12 "	-
958	Reduction, simpliciter, &c.	Laurie v. Mackenzie	15 December 1863	-	19 12 -	26 "	Decree of reduction, &c.
959	-	Houston, junior, v. Western Bank of Scotland.	11 November 1862	-	60 l. against pursuer	26 "	Absolutor.
960	Declarator, &c.	Mackenzie v. Mackenzie	-	-	-	-	Proceedings not with clerk.
961	-	Gillespie & Cathcart v. Corbet and Marshall.	24 December 1863	28 11 6	-	2 February "	-
962	-	Ireland v. Wardlaw	1 April 1863	-	-	4 "	Action dismissed; expenses not taxed.
963	Declarator, &c.	Souter, &c. v. McGillivray	3 November 1863	-	None -	2 "	Decree of declarator, &c.
964	Declarator, &c.	Hardie v. Magistrates of Port Glasgow	7 November 1862	-	55 11 8	12 March "	Action dismissed.
965	-	Bonnar v. Hibbs	9 November 1859	-	218 8 7	15 November "	-
966	-	Balgarnie v. Life Association of Scotland	28 January 1863	204 17 9	-	6 February "	-
967	-	Mudie v. Cowan	20 January 1864	-	-	9 "	Absolutor; expenses not taxed.
968	Adjudication	Talbot v. Lockie	17 November 1863	27 2 2	8 19 -	9 "	-
969	Advocation	Irvin v. Henderson	24 June 1861, lodged	-	None -	9 "	Decree of adjudication.
970	Declarator, &c.	Lord Advocate v. Guthrie	12 February 1861	-	69 2 6	9 "	Absolutor.
971	-	City of Glasgow Bank v. Macdonald	27 May 1863	-	1,033 6 6	13 "	Decree of declarator, &c.
972	-	Milne v. Muir	27 January 1864	-	22 19 9	13 "	Action dismissed.
973	-	Gillespie & Cathcart v. Ross	23 January 1864	44 - -	8 4 5	16 "	-
974	-	McIntosh v. Springwell	-	-	7 2 8	16 "	-
975	-	Scottish Equitable Life Society v. Macdonald.	-	-	-	-	Principal sum passed from. Proceedings not with clerk. Proceedings not with clerk.
976	-	Johnston's Trustees v. Urquhart	11 January 1864	94 10 7	-	-	-
977	Declarator and interdict	Kennedy v. McKenna	28 December 1863	-	9 11 2	16 "	Declarator, &c.
978	-	City of Glasgow Bank v. Ferrier	5 May 1862	299 11 2	None -	16 "	-
979	Advocation	Rankin v. Alston & Russell	1 July 1862, lodged	126 l. <i>quoad ultra</i> absolver.	33 8 6	18 "	Expenses not taxed.
980	Conjoined actions	Kilpatrick v. Bell's Executors	1st summons, 30 January 1862.	1,000 - -	-	18 "	-
981	-	Miller & Co. v. Johnstone	2nd ditto, 7 April 1862	50 - -	None -	8 July "	-
982	-	Lassen & Meiners v. Gillon	31 December 1863	41 19 -	12 15 -	20 Feb. "	-
983	Multiple pinding, &c.	Irvine's Executors v. Irvine, &c.	29 January 1864	1,822 l. 17 s. 3 d., and other securities.	7 3 10	23 "	-
984	Advocation	Brown's Trustees v. Sharp	18 November 1862	282 - -	None -	23 "	-
	-	-	29 May 1863, lodged	-	64 l. 6 s. 6 d. against advocator.	25 "	-

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Discerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE— <i>continued</i> .							
1,034	Declarator, &c.	Morton v. Middleton	31 December 1862	£. s. d. 500 - -	£. s. d. 33 2 10	8 July 1864.	
1,035	Suspension	Williamson v. Brodie, &c.	10 November 1862	- - -	None - -	18 June "	Absolutor.
1,036	Suspension	Blantyre v. Magnetic Telegraph Co.	15 June 1864, lodged	- - -	6 15 5	2 July "	Decree of suspension and interdict.
1,037	Declarator	Campbell & Co. v. Forest	20 November 1863	49 19 -	27 5 8	19 "	
1,038	Declarator	Fraser v. Gillanders	15 April 1856	- - -	71 6 1	30 June "	Absolutor.
1,039	Declarator	Kiernan v. Campbell's Executors	12 January 1864	- - -	None - -	30 "	Absolutor.
1,040	Declarator	Gibson and Mercer v. Galloway	16 May 1864	- - -	None - -	7 July "	Absolutor.
1,041	Conjoined actions of multiple pointing and count, reckoning and payment.	Troup v. Troup, &c.	12 May 1862, multiple pointing, count and reckoning, 26 March 1862.	286 l. 18 s. 1 d., divided among claimants.	None - -	13 December "	
1,042	Declarator, &c.	Lothian v. Lothian	22 May 1863	- - -	None - -	- - -	Absolutor.
1,043	Multiple pointing, &c.	Hunter's Factor v. Harrison, &c.	19 April 1864	679 l. 19 s., divided among claimants.	None - -	9 July 9 July	
1,044	-	Fortune's Executor v. Smith	2 January 1861	- - -	None - -	12 "	Absolutor.
1,045	Adjudication	Stuart v. Willison	13 June 1862	81 18 10	None - -	12 "	
1,046	Declarator, &c.	Oliver v. Cumming	13 May 1864	- - -	None - -	14 "	Decree of adjudication.
1,047	Reduction	Mackintosh v. Mackintosh	16 May 1864	- - -	7 16 6	16 "	Decree of declarator, &c.
1,048	Reduction	Hencky v. Couper	2 May 1857	- - -	None - -	16 "	Absolutor.
1,049	Advection	Mathieson v. Leitch	13 May 1862, lodged	- - -	None - -	19 "	Absolutor from inferior court action.
1,050	Declarator, &c.	McGrigor v. McGrigor, &c.	30 March 1863	- - -	None - -	19 "	Decree of declarator and removing.
1,051	-	McGrigor v. McGrigor, &c.	11 February 1860	3,607 l. 14 s. 9 d. found due to pursuers as beneficiaries.	None - -	19 "	
1,052	Multiple pointing	Fleming v. Dow	31 October 1862	- - -	None - -	19 "	Absolutor.
1,053	Suspension and interdict	Robertson v. Pyffe, &c.	22 November 1861	110 l. 5 s. 4 d., divided among claimants.	None - -	19 "	
1,054	Declarator, &c.	Carter v. Bryce	12 Nov. 1863, lodged	- - -	None - -	20 "	Refused.
1,055	Declarator, &c.	Bald and Son v. Eaglesham	17 August 1864	265 2 3	8 13 8	13 November "	
1,056	Declarator, &c.	Begg v. Graham	21 June 1864	- - -	23 8 1	9 December "	Decree of declarator, &c.
1,057	Declarator, &c.	Deuchars v. Wood	30 June 1864	173 14 -	7 12 8	15 November "	
1,058	Declarator, &c.	Bernard v. Milne & Co.	22 August 1864	100 - -	8 - 2	17 "	Decree of declarator.
1,059	Declarator, &c.	Matheson v. Macaulay	30 March 1863	- - -	None - -	19 "	
1,060	Declarator, &c.	Dodds v. Alison	21 October 1864	343 6 8	None - -	19 "	
1,061	Declarator	Hay v. Runkie	17 October 1864	25 - -	7 16 4	22 "	Decree of declarator and adjudication.
1,062	Declarator	Commercial Bank of Scotland v. Macartney.	15 July 1864	- - -	None - -	22 "	
1,063	Declarator	Buchanan v. Robertson	17 October 1864	- - -	None - -	22 "	Decree of declarator.
1,064	Declarator	McLeod v. Mackenzie	24 June 1864	- - -	None - -	22 "	Decree of declarator.
1,065	Damages -	Keith & Co. v. Narraoott, &c.	4 December 1862	2,164 9 6	None - -	22 "	
1,066	Count and reckoning	Macdougall v. McKenzie	11 May 1864	70 - -	21 2 9	8 December "	
1,067	Suspension and interdict	Muller's Trustees v. Wardrop's Trustees.	22 June 1863	- - -	53 l. 0 s. 10 d., to defend.	26 November "	
1,068	Declarator, &c.	Sutherland, &c. v. McKenzie, &c.	22 Nov. 1864, lodged	- - -	16 2 -	20 December "	Decree of suspension and interdict.
1,069	Declarator, &c.	McVean v. McVean	4 July 1862	- - -	None - -	29 November "	Decree of declarator.
1,070	Suspension	Royal Bank v. Spalding	6 September 1864	221 15 6	9 6 2	1 December "	
1,071	Declarator	Patersons v. Kerr	1 Nov. 1864, lodged	- - -	None - -	2 "	Absolutor.
1,072	Declarator	Malcolm v. Anderson	7 November 1864	- - -	None - -	6 "	Decree of declarator.
1,073	Suspension and interdict	Thripland v. Sinclair	23 Jan. 1864, lodged	- - -	13 14 3	6 "	Decree of suspension and interdict.
1,074	Pointing ground	Johnston's Trustees v. Barr, &c.	5 November 1864	- - -	13 3 8	13 "	Decree of pointing the ground.

No.	Case	Date	Parties	Amount	Decree	Remarks
1,075	Suspension	-	Forrest v. Union Bank	-	4 March 1863, lodged	-
1,076	Suspension and interdict	-	Anderson v. Drysdale, &c.	-	5 January 1863, lodged	-
1,077	Damages	-	Forrest v. Campbell & Co.	-	10 December 1863	-
1,078	Finding the ground	-	National Insurance Company v. Baynes	-	10 November 1864	-
1,079	Declarator and removing	-	Forbes v. Forbes	-	26 November 1864	-
1,080	-	-	Thoms v. Strathmore	-	21 November 1864	-
1,081	-	-	Wright v. Toward	-	22 November 1864	-
1,082	Adjudication	-	Thomson v. Cameron	-	9 June 1864	-
1,083	Declarator	-	Dickinson's Trustees v. Dickinson, &c.	-	14 May 1863	-
1,084	Adjudication	-	Boyd v. Shields	-	11 August 1864	-
1,085	Advocation	-	Brown v. Johnston	-	3 May 1864, lodged	-
1,086	Declarator and sale, conjoined	-	Innes v. Wickenden	-	21 July 1863 and 5 November 1863	-
1,087	Transference	-	Wotherspoon v. Ewing	-	31 October 1863	-
1,088	Adjudication	-	Hepburn v. Hepburn Newlands	-	27 November 1863	-
1,089	Adjudication	-	Clement and Barry v. Jamieson	-	5 October 1863	-
1,090	-	-	Finlayson v. Braidbar Quarry Company	-	13 February 1862	-
1,091	-	-	Black v. Wylie	-	24 December 1863	-
1,092	Declarator	-	Marquis of Bute v. Magistrates of Rothersay, &c.	-	30 January 1863	-
1,093	Multiple pointing	-	Finlay's Trustees v. Finlay	-	9 May 1861	-
1,094	-	-	Ruthven v. Bogle	-	22 August 1859	-
1,095	-	-	Kenger and Jenning v. Smerhaske	-	3 October 1862	-
1,096	-	-	Cormack v. Cormack	-	30 November 1863	-
1,097	-	-	Liston v. Gardiner	-	13 January 1864	-
1,098	-	-	Mitchell v. Ramsay	-	27 November 1863	-
1,099	Multiple pointing	-	Thomson's Trustees v. Smith	-	22 October 1863	-
1,100	Multiple pointing	-	Smeal v. Aitchison	-	21 November 1864	-
1,101	Advocation	-	Burnett v. Morrow	-	14 September 1863	-
1,102	Multiple pointing	-	Kidd v. Campbell	-	15 December 1859	-
1,103	-	-	Mellans v. Stein	-	17 March 1863, lodged	-
1,104	-	-	Fife Duff's Trustee v. Shand	-	10 December 1860	-
1,105	Transference	-	Dickson v. Cunningham	-	14 January 1864	-
1,106	-	-	Heritors of Avondale v. Whitelaw	-	2 July 1862	-
1,107	Advocation	-	Eddington v. M'Dougall	-	4 January 1864	-
1,108	-	-	Kennedy v. Campbell	-	11 August 1863, lodged	-
1,109	-	-	Brenner v. Parnell	-	18 June 1863	-
1,110	-	-	Hamilton v. Simpson	-	26 December 1862	-
1,111	Declarator and adjudication in implent.	-	Stamford v. Stamford	-	27 January 1863	-
1,112	Reduction	-	Stamford v. Stamford	-	24 June 1863	-
1,113	Advocation	-	Gillespie v. Shaw	-	16 Dec. 1363, lodged	-
1,114	Suspension	-	Livingston v. Hepling	-	24 Nov. 1862, lodged	-
1,115	-	-	Bennett's Trustees v. Downs and Lethem	-	19 August 1863	-
1,116	-	-	Elgin and Lossiemouth Harbour Trustees v. Adamson	-	5 February 1863	-
1,117	-	-	Roths v. Haworth	-	30 May 1863	-
1,118	Declarator of co-partnership	-	Hill v. Wylie	-	21 July 1862	-
1,119	-	-	Dixon v. McKirdy	-	15 July 1863	-
1,120	-	-	Hay v. Ainslie	-	28 July 1863	-

RETURN of List of Cases Decided in the Court of Session between the 1st day of January 1864 and the 1st day of January 1865, &c.—*continued*.

No.	ACTION.	NAME OF PARTIES.	Date when Summons Signed.	Sum Decerned for.	Expenses Decerned for.	Date of Final Decree or Judgment.	R E M A R K S.
II.—OUTER HOUSE—<i>continued</i>.							
1,121	-	Harper and others v. Wornich	12 March 1864	500 <i>l.</i> divided among claimants.	None	13 July 1864	
1,122	Adjudication	Seaton v. M'Queen	4 April 1864	-	None	17 May	Decree of adjudication.
1,123	Mails and duties	Clements and Berry v. Jameson and Smith.	24 March 1864	76 19 5	11 8 11	17 "	"
1,124	-	Smith v. Robertson	10 March 1864	50 -	7 15 4	25 "	"
1,125	-	Plack v. Wylie	3 February 1864	110 <i>l.</i> divided among claimants.	None	7 June	"
1,126	-	Kydd v. Kydd	8 January 1864	595 9 6	19 4 9	9 "	"
1,127	-	Swan v. Levy & Co.	21 December 1863	-	12 - 4	18 "	"
1,128	-	M'Call v. Dawson and Stainton	30 May 1861	-	None	18 "	Absolutor.
1,129	Suspension	Jones v. Samuel	15 October 1861, lodged	-	None	1 July	Action dismissed.
1,130	Divorce	Myles v. Myles	26 February 1864	-	None	2 "	Decree recalling interdict. Consigned sum of 700 <i>l.</i> to be paid to suspender.
1,131	Damages	Gilmour v. Dalrymple	13 July 1863	50 7 -	90 7 7	5 "	Decree of divorce.
1,132	-	Hislop v. Ruthven	12 June 1860	-	56 8 9	5 "	Decree of adjudication.
1,133	-	Laurie v. Laurie	25 February 1863	-	None	5 "	Decree of division pro indiviso property.
1,134	Adjudication	Allan v. Allan	11 June 1864	-	None	12 "	Decree of declarator and adjudication.
1,135	-	Anderson's Trustee v. Anderson	6 May 1864	-	None	12 "	Absolutor.
1,136	-	Murray v. Magistrates of Selkirk	21 December 1861	-	80 -	13 "	Decree of declarator.
1,137	-	Falconer v. Campbell	19 October 1839	-	166 14 4	16 "	
1,138	-	Simpson v. Doud and M'Call	5 April 1845	-	None	16 "	
1,139	Multiple poinding	Robertson v. Graham	11 February 1841	1,350 -	None	20 "	Decree of ranking; fund, 461 <i>l.</i> 17 <i>s.</i> 11 <i>d.</i>
1,140	-	Campbell v. Speirs' Trustee	9 December 1861	800 -	None	20 "	Expenses not taxed.
1,141	-	Paton's Trustee v. Skinner	1 May 1862	-	None	20 "	Decree of ranking upon heritable estate.
1,142	Declarator	Ninmo v. Garvie	18 April 1864	-	None	12 November	Decree of declarator.
1,143	Declarator, &c.	Ninmo v. Murray's Trustees	28 May 1863	-	None	12 "	Decree of declarator.
1,144	Furthcoming	Arthur and Fraser v. Laing Murray, &c.	12 July 1864	300 -	18 10 5	15 "	
1,145	Furthcoming	Stewart and Macdonald v. Murray, &c.	12 July 1864	350 -	17 3 6	15 "	
1,146	-	Nahmacher & Olsen v. M'Iver	7 September 1864	39 15 8	9 16 3	15 "	
1,147	-	Robertson v. Arthur	4 April 1864	200 -	26 - 11	19 "	
1,148	-	Malcolm v. Inglis	29 December 1864	316 5 8	11 9 3	22 "	
1,149	Multiple poinding	Crosbie v. Wilson	17 October 1862	93 <i>l.</i> 1 <i>s.</i> 5 <i>d.</i> , fund <i>in medio</i> , divided among claimants.	None	1 December	"

Crown Office, Edinburgh,
15 January 1865.*And. Murray, jr.*

COURT OF SESSION (SCOTLAND).

RETURN of List of Cases Decided in the
Court of Session between 1 January 1864 and
1 January 1865; Date when Summons Sig-
neted; Sum Decerned for; Expenses Decerned
for; and, Date of Final Decree or Judgment.

(*Mr. Black.*)

*Ordered, by The House of Commons, to be Printed,
20 February 1868.*

COURT OF SESSION (SCOTLAND).

RETURN to an Address of the Honourable The House of Commons,
dated 26 March 1868 ;—for,

“RETURN, in continuation of Parliamentary Paper, No. 101, of the present Session, respecting the COURT of SESSION (SCOTLAND), giving a SUMMARY of the Results of the same, by showing the Total Number of Cases Finally Decided within a Period of Three Months from the Date when the Summons was Signeted to the Date of the Final Decree or Judgment; the Total Additional Numbers within Periods of Six Months, Nine Months, Twelve Months, Eighteen Months, Two Years, Three Years, Four Years, and Five Years respectively, and also the Number, if any, exceeding Five Years; the Summary to be divided into Two Parts, containing severally the Inner House and the Outer House Cases.”

TOTAL NUMBER OF CASES FINALLY DECIDED :

1. INNER HOUSE	-	-	-	-	-	-	-	-	-	288	
2. OUTER HOUSE	-	-	-	-	-	-	-	-	-	862	
Whereof—											1,150*
I. INNER HOUSE.											
1. Decided within 3 months	-	-	-	-	-	-	-	-	-	40	
2. Ditto - 6 months	-	-	-	-	-	-	-	-	-	16	
3. Ditto - 9 months	-	-	-	-	-	-	-	-	-	25	
4. Ditto - 12 months	-	-	-	-	-	-	-	-	-	30	
5. Ditto - 18 months	-	-	-	-	-	-	-	-	-	66	
6. Ditto - 2 years	-	-	-	-	-	-	-	-	-	25	
7. Ditto - 3 years	-	-	-	-	-	-	-	-	-	37	
8. Ditto - 4 years	-	-	-	-	-	-	-	-	-	21	
9. Ditto - 5 years	-	-	-	-	-	-	-	-	-	13	
10. Exceeding 5 years	-	-	-	-	-	-	-	-	-	15	
										288	
II. OUTER HOUSE.											
1. Decided within 3 months	-	-	-	-	-	-	-	-	-	313	
2. Ditto - 6 months	-	-	-	-	-	-	-	-	-	126	
3. Ditto - 9 months	-	-	-	-	-	-	-	-	-	71	
4. Ditto - 12 months	-	-	-	-	-	-	-	-	-	64	
5. Ditto - 18 months	-	-	-	-	-	-	-	-	-	71	
6. Ditto - 2 years	-	-	-	-	-	-	-	-	-	55	
7. Ditto - 3 years	-	-	-	-	-	-	-	-	-	52	
8. Ditto - 4 years	-	-	-	-	-	-	-	-	-	24	
9. Ditto - 5 years	-	-	-	-	-	-	-	-	-	15	
10. Exceeding 5 years	-	-	-	-	-	-	-	-	-	36	
11. Dependence not stated	-	-	-	-	-	-	-	-	-	35	
										862	
											1,150

* The Return shows 1,149 cases; but No. 1007 is entered twice.

Crown Office, Edinburgh, }
1 May 1868.

T. G. Murray,
Crown Agent for Scotland.

COURT OF SESSION (SCOTLAND).

RETURN, in continuation of Parliamentary Paper, No. 101, of the present Session, respecting the COURT OF SESSION (SCOTLAND), giving a SUMMARY of the Results of the same, by showing the Number of Cases Finally Decided within a Period of Three Months from the Date when the Summons was Signed to the Date of the Final Decree or Judgment; the Total Additional Numbers within Periods of Six Months, Nine Months, Twelve Months, Eighteen Months, Two Years, Three Years, Four Years, and Five Years respectively; &c.

(*Mr. McLaren.*)

*Ordered, by The House of Commons, to be Printed,
5 May 1868.*

COURT OF SESSION, &c. (SCOTLAND).

RETURN to an Address of the Honourable The House of Commons,
dated 20 February 1868;—for,

RETURN of the CAUSES and PETITIONS instituted and decided in the COURT of SESSION in the Year 1867, and of the Procedure in Court in these Causes, and in all other Causes in dependence during that Year; stating separately the Causes depending before each Lord Ordinary in the Outer House, and before each Division of the Inner House respectively, and comprehending the following Details:—

OUTER HOUSE.

1.—The Number of Causes and Petitions in dependence before each Lord Ordinary at 1st January 1867 (Petitions before Junior Lord Ordinary excepted):

Lord Kinloch	-	-	-	-	-	-	-	-	-	198
Lord Jarviswoode	-	-	-	-	-	-	-	-	-	265
Lord Ormidale	-	-	-	-	-	-	-	-	-	121
Lord Barcaple	-	-	-	-	-	-	-	-	-	222
Lord Mure	-	-	-	-	-	-	-	-	-	104
TOTAL										910

2.—The Number of Summonses Signeted - - - - - 1,572

3.—The Number of Summonses, Advocations, and Suspensions called, and the Number of the same Writs Enrolled before each Lord Ordinary:

	Called.	Enrolled.
Before Lord Kinloch	258	247
„ Lord Jarviswoode	380	344
„ Lord Ormidale	197	181
„ Lord Barcaple	421	385
„ Lord Mure	111	105
TOTALS	1,367	1,262

4.—The Number of Petitions and Applications adjudicated upon by the Junior Lord Ordinary, as well as by the other Lords Ordinary, during Session, and by the Lords Ordinary officiating on the Bills during Vacation:

(1.) Petitions and Applications to Lord Mure, Junior Lord Ordinary, during Session, and to the Lords Ordinary officiating on the Bills, during Vacation and Recess:

1. Number of Petitions in dependence at 1st January 1867	-	-	-	-	106
2. Petitions presented during Year 1867	-	-	-	-	401
3. In which Appearance was entered and Answers were lodged	-	-	-	-	507
4. Disposed of after consideration:	-	-	-	-	20
Granted	-	-	-	-	10
Refused	-	-	-	-	8
5. In which no Answers were lodged and the Prayer, after consideration, was granted	-	-	-	-	270
6. Disposed of after Reports:	-	-	-	-	
By men of business and skill	-	-	-	-	89
By Accountant of Court	-	-	-	-	70
By other Accountants	-	-	-	-	38
Granted	-	-	-	-	155
Refused	-	-	-	-	1
Partially granted	-	-	-	-	31
Partially refused or superseded	-	-	-	-	14
7. Reported to the Inner House by Interlocutor and Note:	-	-	-	-	
First Division	-	-	-	-	2
Second Division	-	-	-	-	-
8. Reported to Inner House verbally:	-	-	-	-	
First Division	-	-	-	-	7
Second Division	-	-	-	-	2
9. Number of Interlocutors pronounced	-	-	-	-	1,207

OUTER HOUSE—continued.

4.—The Number of Petitions and Applications adjudicated upon, &c.—*continued.*

(2.) Petitions presented to the Lords Ordinary (including Junior Lord Ordinary) during Session, and to the Lords Ordinary officiating on the Bills during Vacation, such as for Protection of Wives' Property, and other purposes, not appropriated to the Junior Lord Ordinary :

Lord Jerviswoode	-	-	-	-	-	-	-	4
Lord Ormidale	-	-	-	-	-	-	-	1
Lord Barcaple	-	-	-	-	-	-	-	1
Lord Ordinary on Bills in Vacation	-	-	-	-	-	-	-	4
Number of Interlocutors pronounced	-	-	-	-	-	-	-	28

5.—The Number of Decrees in absence before each Lord Ordinary, and of Decrees in favour of either Party to the Cause, on failure to obtemper any Order of the Lord Ordinary:

(1.) Decrees in absence :

Lord Kinloch	-	-	-	-	-	-	-	-	71
Lord Jerviswoode	-	-	-	-	-	-	-	-	141
Lord Ormidale	-	-	-	-	-	-	-	-	87
Lord Barcaple	-	-	-	-	-	-	-	-	119
Lord Mure	-	-	-	-	-	-	-	-	37
TOTAL									455

(2.) Decrees on failure (by default):

[illegible]

6.—The Number of Motions enrolled before each Lord Ordinary :

Lord Kinloch	-	-	-	-	-	-	-	-	-	1,338
Lord Jerviswoode	-	-	-	-	-	-	-	-	-	1,790
Lord Ormidale	-	-	-	-	-	-	-	-	-	882
Lord Barcaple	-	-	-	-	-	-	-	-	-	1,709
Lord Mure	-	-	-	-	-	-	-	-	-	2,172
TOTAL - - -										7,891

7.—The Number of Interlocutors pronounced prior to closing the Record, and also the Number pronounced in Causes which were dismissed without closing the Record :

(1.) Interlocutors prior to closing Record:

[illegible]

(2.) Interlocutors in Causes dismissed without closing Record:

Lord Kinloch	-	-	-	-	-	-	-	-	24
Lord Jerviswoode	-	-	-	-	-	-	-	-	7
Lord Ormidale	-	-	-	-	-	-	-	-	15
Lord Barcaple	-	-	-	-	-	-	-	-	27
Lord Mure	-	-	-	-	-	-	-	-	-
TOTAL - - -									73

8.—The Number of Interlocutors pronounced after closing the Record, and before Judgment, by—

Lord Kinloch	-	-	-	-	-	-	-	-	356
Lord Jerviswoode	-	-	-	-	-	-	-	-	608
Lord Ormidale	-	-	-	-	-	-	-	-	318
Lord Barcaple	-	-	-	-	-	-	-	-	682
Lord Mure	-	-	-	-	-	-	-	-	133
TOTAL									2,097

OUTER HOUSE—continued.

9.—The Number of Interlocutors and Judgments in Causes where the Record does not require to be closed, pronounced by—

(1.) Interlocutors :

Lord Kinloch	-	-	-	-	-	-	-	136
Lord Jerviswoode	-	-	-	-	-	-	-	349
Lord Ormidale	-	-	-	-	-	-	-	114
Lord Barcaple	-	-	-	-	-	-	-	129
Lord Mure	-	-	-	-	-	-	-	86
TOTAL								814

(2.) Judgments :

Lord Kinloch	-	-	-	-	-	-	-	43
Lord Jerviswoode	-	-	-	-	-	-	-	112
Lord Ormidale	-	-	-	-	-	-	-	48
Lord Barcaple	-	-	-	-	-	-	-	49
Lord Mure	-	-	-	-	-	-	-	32
TOTAL								284

10.—The Number of Records closed, distinguishing the Number of Causes which, at the date of closing the Record, had not been in dependence more than Three Months :

	Records Closed.	Causes not more than Three Months in Dependence.
Lord Kinloch	135	62
Lord Jerviswoode	130	82
Lord Ormidale	68	50
Lord Barcaple	222	150
Lord Mure	33	21
TOTALS	588	365

11.—The Number of Causes enrolled for Debate on closed Records :

	Enrolled.	Debated.	Delete after partial Debate.	Delete without Debate.
Lord Kinloch	88	58	7	25
Lord Jerviswoode	74	32	15	17
Lord Ormidale	99	56	23	15
Lord Barcaple	86	50	8	27
Lord Mure	18	16	1	9
TOTALS	365	212	54	93

12.—The Number of Decisions pronounced by the Lords Ordinary, distinguishing those on the merits from those on the relevancy or other grounds, and those in favour of the Pursuer or Complainer from those in favour of the Defender or Respondent :

	Decisions pronounced.	On Relevancy, &c.	On Merits.	Favour of Pursuer.	Favour of Defender.	Partly in favour of each Party.
Lord Kinloch	143	19	124	98	42	3
Lord Jerviswoode	133	23	110	91	40	2
Lord Ormidale	92	25	67	49	39	4
Lord Barcaple	128	23	105	78	49	1
Lord Mure	38	3	35	22	14	2
TOTALS	534	93	441	338	184	12

OUTER HOUSE—continued.

13.—The Number of such Judgments which were acquiesced in, and the Number against which Reclaiming Notes were lodged:

	Acquiesced in.	Reclaimed against.
Lord Kinloch - - - - -	80	63
Lord Jerviswoode - - - - -	77	56
Lord Ormidale - - - - -	52	40
Lord Barcaple - - - - -	73	55
Lord Mure - - - - -	19	19
TOTALS - - - - -	301	233

14.—The Number of Decisions so pronounced in Causes which, at the date thereof, had not been in dependence more than Five Months; and if more than that period, which had not been in dependence more than Nine Months:

Not in dependence more than five months - - - - -	112
In dependence more than five months, but not more than nine months - - - - -	30

15.—The Number of Causes in which Draft Issues were lodged on the Order of the Lord Ordinary, specifying the Causes in which the Issues were approved of, in which they were reported to the Inner House, and in which they were superseded:

	Issues Lodged.	Approved.	Reported to Inner House.	Superseded.
Lord Kinloch - - - - -	20	12	7	1
Lord Jerviswoode - - - - -	33	12	15	6
Lord Ormidale - - - - -	19	10	8	-
Lord Barcaple - - - - -	38	20	12	-
Lord Mure - - - - -	9	5	3	1
TOTALS - - - - -	119	59	45	8

16.—The Number of Causes in which Proof was allowed and taken, specifying those in which Proof was taken on Commission—by Lord Ordinary, and before a Jury; and, distinguishing the Causes decided in favour of the Pursuer or Complainer, from those decided in favour of the Defender or Respondent:

	Taken on Com- mission.	By Lord Ordinary.	Before Jury.	In favour of Pursuer.	In favour of Defender.
Lord Kinloch - - - - -	3	19	-	16	4
Lord Jerviswoode - - - - -	8	45	-	40	10
Lord Ormidale - - - - -	-	12	3	12	2
Lord Barcaple - - - - -	3	19	1	16	4
Lord Mure - - - - -	2	13	2	12	3
TOTALS - - - - -	16	108	6	96	23

17.—The Number of Causes in which Proof ordered by the Lord Ordinary under Remit from Inner House, and thereafter reported by him to the Court:

Lord Kinloch - - - - -	2
Lord Jerviswoode - - - - -	2
Lord Ormidale - - - - -	1
Lord Barcaple - - - - -	2
Lord Mure - - - - -	1
TOTAL - - - - -	8

OUTER HOUSE—*continued.*

18.—The Number of Causes or Petitions ready for debate at the end of the Summer and Winter Sessions respectively, and not debated:

	Summer Session.	Winter Session.
Lord Kinloch - - - - -	14	14
Lord Jarviswoode - - - - -	22	16
Lord Ormidale - - - - -	12	11
Lord Barcaple - - - - -	18	17
Lord Mure - - - - -	7	4
TOTALS - - - - -	73	62

19.—The Number of Causes at Avizandum at the end of the Summer and Winter Sessions respectively:

	Summer Session.	Winter Session.
Lord Kinloch - - - - -	1	-
Lord Jarviswoode - - - - -	1	1
Lord Ormidale - - - - -	-	-
Lord Barcaple - - - - -	-	-
Lord Mure - - - - -	-	1
TOTALS - - - - -	2	2

20.—The Number of Interlocutors pronounced after Judgment, for the purpose of carrying Judgment into effect:

Lord Kinloch - - - - -	44
Lord Jarviswoode - - - - -	51
Lord Ormidale - - - - -	18
Lord Barcaple - - - - -	49
Lord Mure - - - - -	7
TOTAL - - - - -	169

21.—The Number of Causes transferred from one Lord Ordinary to another, distinguishing the stage at which each Cause was transferred:

(1.) Causes transferred from Lord Mure to Lord Kinloch, by order of Lord President, dated 19th January 1867 - - -	9
(2.) Causes transferred from Lord Jarviswoode to Lord Ormidale, by order of the Lord President, dated 12th March 1867 - - -	4
(3.) Causes transferred from Lord Barcaple to Lord Kinloch, by order of the Lord President, dated 12th March 1867 - - -	5
(4.) Causes transferred from Lord Jarviswoode to Lord Ormidale, by order of the Lord President, dated 21st May 1867 - - -	6
(5.) Causes transferred from Lord Barcaple to Lord Ormidale, by order of the Lord President, dated 22nd May 1867 - - -	8
(6.) Causes transferred from Lord Barcaple to Lord Ormidale, by order of the Lord President, dated 18th June 1867 - - -	6
(7.) Causes transferred from Lord Kinloch to Lord Ormidale, by order of the Lord President, dated 22nd November 1867 - - -	13
TOTAL - - - - -	51

Note.—The whole of the above Causes stood in the Debate Rolls of the respective Lords Ordinary before whom they depended, ready for debate.

INNER HOUSE.

1.—The Number of Causes and Petitions instituted prior to and in dependence at 1st January 1867:

First Division - - - - -	118
Second Division - - - - -	74
TOTAL - - - - -	192

2.—The Number of Reclaiming Notes presented against Decisions in the Bill Chamber:

First Division - - - - -	17
Second Division - - - - -	16
TOTAL - - - - -	33

3.—The Number of Reclaiming Notes presented to the First Division against Decisions by the Lords Ordinary, specifying the Number applicable to each Lord Ordinary, and also specifying those on the Merits, those on Relevancy or grounds other than Merits, those in Absence, and those on Default:

	On Merits.	On Relevancy, &c.	Default.	In Absence.
Lord Kinloch - - - - -	35	7	2	1
Lord Jerviswoode - - - - -	19	16	2	4
Lord Ormidale - - - - -	19	9	3	2
Lord Barcaple - - - - -	29	11	4	4
Lord Mure - - - - -	17	1	-	1
TOTALS - - - - -	119	44	11	12

4.—The Number of Reclaiming Notes presented to the Second Division against Decisions by the Lords Ordinary, specifying the Number applicable to each Lord Ordinary; and also specifying those on the Merits, those on Relevancy or grounds other than Merits, those in Absence, and those on Default:

	On Merits.	On Relevancy, &c.	Default.	In Absence.
Lord Kinloch - - - - -	17	5	1	-
Lord Jerviswoode - - - - -	13	5	-	1
Lord Ormidale - - - - -	5	4	-	-
Lord Barcaple - - - - -	7	4	-	-
Lord Mure - - - - -	-	-	-	-
TOTALS - - - - -	42	18	1	1

5.—The Number of Reclaiming Notes specified in the preceding Articles 3 and 4, and also Reclaiming Notes, both in Exchequer and Teind Causes, presented to both Divisions, against Decisions of the Lords Ordinary; specifying those on the Merits, those on Relevancy or grounds other than Merits, those in Absence, and those by Default:

	On Merits.	On Relevancy, &c.	Default.	In Absence.
First Division - - - - -	119	44	11	12
Second Division - - - - -	42	18	1	1
TOTALS - - - - -	161	62	12	13

6.—The Number of Advocations and Suspensions of the Decrees of Inferior Courts, which, at the first calling in the Outer House, both or one of the Parties moved the Lord Ordinary to report to the Inner House:

First Division - - - - -	26
Second Division - - - - -	22
TOTAL - - - - -	48

INNER HOUSE—continued.

7.—The Number of Causes in which the First Division of the Court pronounced Judgments on Reclaiming Notes against Decisions of Lords Ordinary, specifying those applicable to each Lord Ordinary, and stating whether Decision adhered to—repeated, but Grounds of Decision altered—or reversed (in whole or in part):

	Adhered to.	Repeated, but Grounds altered.	Reversed.	Partially Reversed.
Lord Kinloch - - - -	25	3	6	5
Lord Jerviswoode - - - -	20	1	2	5
Lord Ormidale - - - -	13	-	4	2
Lord Barcaple - - - -	10	-	7	2
Lord Mure - - - -	9	1	3	-
TOTALS - - - -	77	5	22	14

8.—The Number of Causes in which the Second Division pronounced Judgments on Reclaiming Notes against Decisions of Lords Ordinary, specifying those applicable to each Lord Ordinary, and stating whether Decision adhered to—repeated, but Grounds of Decision altered—or reversed (in whole or in part):

	Adhered to.	Repeated, but Grounds altered.	Reversed.	Partially Reversed.
Lord Kinloch - - - -	15	2	6	5
Lord Jerviswoode - - - -	8	2	9	7
Lord Ormidale - - - -	11	-	3	1
Lord Barcaple - - - -	11	1	-	-
Lord Mure - - - -	1	2	-	-
TOTALS - - - -	46	7	18	13

9.—The Number of Causes in which the First Division pronounced Judgments in Advocations and Suspensions of Decrees of Inferior Courts reported by Lords Ordinary, stating whether Decision of Inferior Court adhered to—repeated, but Grounds of Decision altered—or reversed (in whole or in part):

	Adhered to.	Repeated, but Grounds altered.	Reversed.	Partially Reversed.
First Division - - - -	9	1	5	1

10.—The Number of Causes in which the Second Division pronounced Judgments in Advocations and Suspensions of Decrees of Inferior Courts reported by Lords Ordinary, stating whether Decision of Inferior Court adhered to—repeated, but Grounds of Decision altered—or reversed (in whole or in part):

	Adhered to.	Repeated, but Grounds altered.	Reversed.	Partially Reversed.
Second Division - - - -	9	3	4	3

11.—The Number of Causes in which the Inner House pronounced Judgments on Reclaiming Notes against Decisions of Lords Ordinary, and in Advocations and Suspensions reported by Lords Ordinary, being an Abstract of the preceding Articles 7, 8, 9, and 10, stated under the same General Heads:

Adhered to - - - -	141
Repeated, but grounds altered - - - -	16
Reversed - - - -	49
Partially reversed - - - -	31

INNER HOUSE—*continued.*

12.—The Number of Final Judgments pronounced by each Division of the Court in Causes or Applications mentioned in each of the preceding Articles 2 to 11 respectively, distinguishing whether in favour of the Pursuer, Advocate, Suspender, or Petitioner, or of the Defender or Respondent respectively :

	Disposing finally of only part of Cause, but not exhausting it.	Disposing finally of Cause, and exhausting it.	In favour of Pursuer, &c.	In favour of Defender, &c.	Partly in favour of each Party.
First Division - - -	25	68	48	41	4
Second Division - - -	20	70	46	43	1
TOTALS - - -	45	138	94	84	5

13.—The Number of Causes or Applications originating in each Division of the Inner House, specifying separately the Number litigated; the Number not opposed, in which no Proof or Inquiry was ordered by the Court; and the Number not opposed, in which Proof or Inquiry was ordered; and stating whether the Cause was disposed of in whole or in part, and in whose favour :

	1st Division.	2nd Division.
(1.) Litigated :		
1. Disposing finally of only part of Cause, but not exhausting it - - - -	2	1
2. Disposing finally of Cause, and exhausting it - - - -	7	1
3. In favour of Pursuer, &c. - - - -	7	1
4. In favour of Defender, &c. - - - -	2	1
(2.) Not opposed, in which no Proof allowed, or Inquiry ordered by Court :		
1. Disposing finally of only part of Cause, but not exhausting it - - - -	—	—
2. Disposing finally of Cause, and exhausting it - - - -	32	19
3. In favour of Pursuer, &c. - - - -	31	19
4. In favour of Defender, &c. - - - -	1	—
(3.) Not opposed, but in which Proof allowed, or Inquiry ordered by Court :		
1. Disposing finally of only part of Cause, but not exhausting it - - - -	—	—
2. Disposing finally of Cause, and exhausting it - - - -	69	32
3. In favour of Pursuer, &c. - - - -	65	24
4. In favour of Defender, &c. - - - -	4	8
(4.) Number of Interlocutors - - - -	218	115

14.—The Number of Causes ready for Hearing, and sent to any of the Inner House Rolls, and not heard at the end of the Summer and Winter Sessions respectively :

	End of Winter Session.	End of Summer Session.
First Division - - - -	74	79
Second Division - - - -	52	75

15.—The Number of Causes ordered by either Division to be heard before the whole Court, or the two Divisions :

	Whole Court.	Two Divisions.
First Division - - - -	2	2
Second Division - - - -	1	2

INNER HOUSE—continued.

16.—The Number of Causes sent by either Division of the Court to the whole Court for written Opinions :

First Division - - - - - 3

17.—The Number of Causes, not falling under any of the preceding Articles, in which the Inner House (specifying the Division) pronounced Judgment, or remitted to the Lord Ordinary with Instructions, distinguishing whether the Judgment was in favour of the Pursuer or Defender, or whether the Cause was remitted:

	Judgments Pronounced		Remitted.
	For Pursuer.	For Defender.	
First Division - - - - -	11	24	14
Second Division - - - - -	3	11	3
TOTALS - - - - -	14	35	17

18.—The Number of Decisions pronounced by each Division in litigated Causes, which at the date thereof had not been in dependence more than Five Months; and if more than Five Months, which had not been in dependence more than Nine Months :

	1st Division.	2nd Division.
Not in dependence more than five months - - -	1	1
In dependence more than five months, but not more than nine months - - - - -	6	3
TOTALS - - - - -	7	4

19.—The Number of Interlocutors pronounced after Judgment for the purpose of carrying Judgment into effect:

First Division - - - - - 70
 Second Division - - - - - 47
 TOTAL - - - - - 117

20.—The Number of Causes transferred from one Division to another, distinguishing the stage at which each Cause was transferred:

(1.) Thirty Causes transferred from the First Division to the Second, by Order of Lord President, dated 6th March 1867, all standing in Short Roll for discussion:

Whereof—

Upon Reclaiming Notes against Judgments of Lord Kinloch -	9
Ditto - - - ditto - - - ditto - Lord Jerviswoode	7
Ditto - - - ditto - - - ditto - Lord Ormidale	1
Ditto - - - ditto - - - ditto - Lord Barcaple	5
Ditto - - - ditto - - - ditto - Lord Mure	1
Advocations of Decrees of Inferior Courts, which had been reported to the First Division at the first calling in the Outer House - - - - -	7
TOTAL - - - - -	30

(2.) Thirty Causes transferred from the First Division to the Second, by Order of Lord President, dated 18th July 1867, all standing in the Short Roll for discussion:

Whereof—

Upon Reclaiming Notes against Judgments of Lord Kinloch -	10
Ditto - - - ditto - - - ditto - Lord Jerviswoode	3
Ditto - - - ditto - - - ditto - Lord Ormidale	7
Ditto - - - ditto - - - ditto - Lord Barcaple	3
Ditto - - - ditto - - - ditto - Lord Mure	2
Advocations of Decrees of Inferior Courts reported as above -	4
On Record and Proof - - - - -	1
TOTAL - - - - -	30

JURY CAUSES.

1.—The Number of Causes in which Issues were adjusted, either by the Lord Ordinary or Inner House :

(1.) Inner House:

Inner House :										
First Division	-	-	-	-	-	-	-	-	-	16
Second Division	-	-	-	-	-	-	-	-	-	7
TOTAL										- - - 23

(2.) Outer House:

Lord Kinloch	-	-	-	-	-	-	-	-	-	10
Lord Jerviswoode	-	-	-	-	-	-	-	-	-	10
Lord Ormidale	-	-	-	-	-	-	-	-	-	8
Lord Barcaple	-	-	-	-	-	-	-	-	-	17
Lord Mure	-	-	-	-	-	-	-	-	-	3
TOTAL - - -										48

2.—The Number of Causes set down for Trial, distinguishing those set down by the Pursuer from those set down by the Defender :

	By Pursuer.	By Defender.	By Order of Court.
(1.) Inner House:			
First Division - - - -	37	7	4
Second Division - - - -	7	1	-
TOTAL - - - -	44	8	4
(2.) Outer House:			After Reporting to Court.
Lord Kinloch - - - -	-	-	-
Lord Jerviswoode - - - -	1	-	-
Lord Ormidale - - - -	3	-	-
Lord Barcaple - - - -	7	- -	1
Lord Mure - - - -	2	-	-
TOTAL - - - -	13	- -	1

3.—The Number of Applications for a Special Jury, distinguishing how many were granted :

	By Pursuer.		By Defender.	
	Granted.	Refused.	Granted.	Refused.
First Division	-	-	1	-

4.—The Number of Causes tried by Jury, specifying those tried during Session by each Lord Ordinary, and those tried at the Sittings of both Divisions, and in the latter case stating the Number of Causes in which the Trial was presided over by the Lord President or Lord Justice Clerk, by a Lord Ordinary, and by a Judge of the Inner House; and in every case distinguishing whether the Verdict was for the Pursuer or the Defender in the Cause, with the Date when the Summons in each of the first five of such Causes was enrolled:

(1.) Number of Causes tried :

Inner House:

First Division Sitings (including a Trial at Circuit)	-	-	29
Second Division Sitings	-	-	5

Outer House:

Lords Ordinary during Session - - - - -	6
TOTAL - - - - -	40

JURY CAUSES—continued.

4.—The Number of Causes tried by Jury, &c.—continued.

(2.) Number of Causes tried during Session by each Lord Ordinary :

	Verdict for Pursuer.	Verdict for Defender.	Date when Summons in each was Signeted.
Lord Ormidale -	3	-	12 Feb. 1867, 25 May 1866, 22 Feb. 1867.
Lord Barcaple -	-	1	14 May 1867.
Lord Mure -	1	1	2 Nov. 1866, 31 May 1867.
TOTAL - - -	4	2	

(3.) Number of Causes tried at Sitzings of both Divisions :

First Division :

1. Presided over by Lord President :

Verdict for Pursuer.	Verdict for Defender.	Date when Summons in each of the first Five was Signeted.
8	5	18 July 1866, 5 June 1866, 22 May 1866, 21 November 1865, 3 April 1865.

2. Presided over by a Lord Ordinary :

Verdict for Pursuer.	Verdict for Defender.	Date when Summons in each of the first Five was Signeted.
10	5	5 December 1866, 13 November 1866, 27 June 1865, 16 May 1865, 5 March 1867.

Second Division :

Presided over by Lord Justice Clerk :

Verdict for Pursuer.	Verdict for Defender.	Date when Summons in each of the first Five was Signeted.
5	1	14 September 1866, 4 January 1866, 18 April 1866, 4 June 1867, 15 April 1867.

5.—The Number of Causes tried at Circuit, specifying whether the Trial was presided over by a Lord Ordinary or by a Judge of the Inner House, and whether the Verdict was for the Pursuer or Defender in the Cause, with the Date when the Summons in each of the first Five was enrolled :

Presided over by a Judge of the Inner House :

Verdict for Defender.	Date when Summons was Signeted.
1	9 January 1867.

6.—The Number of Trials countermanded :

First Division -	-	-	-	-	-	-	-	-	8
Second Division -	-	-	-	-	-	-	-	-	3
TOTAL - - -	-	-	-	-	-	-	-	-	11

JURY CAUSES—*continued.*

7.—The Number of Causes in which the Court discharged the Notice or Order of Trial, specifying those before each Division and Lord Ordinary:

Inner House:										
First Division	-	-	-	-	-	-	-	-	-	14
Second Division	-	-	-	-	-	-	-	-	-	2
Outer House:										
Lord Barcaple	-	-	-	-	-	-	-	-	-	4
TOTAL										20

8.—The Number of Causes which have been abandoned after the Issues were adjusted, or not set down for Trial within Twelve Months thereafter:

	Abandoned by Minute or Motion.	Not set down for Trial.
Inner House:		
First Division - - - - -	1	3
Second Division - - - - -	-	-
Outer House:		
Lord Kinloch - - - - -	-	1
TOTALS - - -	1	4

9.—The Number of Causes in which Bills of Exceptions have been taken, distinguishing those allowed:

	Allowed.	Disallowed.
First Division - - - - -	2	3

10.—The Number of Causes in which new Trials have been moved for, distinguishing those granted:

	Granted.	Refused.
First Division - - - - -	2	15
Second Division - - - - -	-	2
TOTALS - - -	2	17

11.—The Number of Causes in which the Result of the first Trial was varied or reversed under a new Trial:

There have been found no causes falling under the above description.

P R O O F S.

The Number of Causes in which Parties have availed themselves of any of the provisions of the Act 13 & 14 Vict. c. 36, ss. 46, 47, 48, 49, and 50, distinguishing which of such provisions:

No cause has been found in which a proof has been taken under any of the provisions of the above Act.

A P P E A L S.

The Number of Appeals from the Judgments of either Division of the Court of Session decided in the House of Lords, distinguishing Affirmances, Partial Affirmances, Reversals, and Partial Reversals from each other :

	Affirmed.	Partially Affirmed.	Reversed.	Partially Reversed.
First Division - - - -	6	- -	5	—
Second Division - - - -	8	—	—	—
TOTALS - - - -	14	- -	5	—

T E I N D C O U R T.

(1.)—OUTER HOUSE.

1.—The Number of Causes, Petitions, and other Applications, instituted prior to, and in dependence before the Lord Ordinary on Teinds at 1st January 1867 - - - -	144
2.—The Number of Causes, Petitions, and other Applications called and instituted before the Lord Ordinary on Teinds - - - - -	5
3.—The Number of Motions enrolled before the Lord Ordinary - - - - -	638
4.—The Number of Records closed - - - - -	13
5.—The Number of Judgments pronounced - - - - -	15
6.—The Number of Petitions and other Applications in which the Lord Ordinary remitted to a Man of Skill - - - - -	7
7.—The Number of prepared States and Schemes of Proven Rental in Augmentations of Stipends of Ministers, reported by Lord Ordinary to the Inner House - - - -	24
8.—The Number of Petitions and other Applications reported by Lord Ordinary to the Inner House - - - - -	5
9.—The Number of Causes reported to either Division of the Court of Session, as a quorum of the Teind Court - - - - -	—
Additional Particulars not mentioned in Resolution :	
Number of Debates before Lord Ordinary - - - - -	10
Schemes of Interim Locality approved of - - - - -	29
Schemes of Final Locality approved of - - - - -	25

(2.)—INNER HOUSE.

10.—The Number of Causes, Petitions, and other Applications instituted prior to and in dependence before Inner House at 1st January 1867 - - - - -	24
11.—The Number of Causes, Petitions, and other Applications called and instituted - - - - -	59
12.—The Number of Motions enrolled - - - - -	163
13.—The Number of Augmentations debated, distinguishing those which were granted, partially granted, refused, and superseded, viz. :—	
Debated - - - - -	25
Granted - - - - -	23
Superseded - - - - -	2
14.—The Number of other Causes debated, and Judgments pronounced :—	
Debated - - - - -	18
Judgments pronounced - - - - -	19
Superseded - - - - -	2

ACCOUNTANT OF COURT.

The Number of Interlocutors or Orders pronounced by Junior Lord Ordinary during Session, and by Lords Ordinary officiating on Bills during Vacation and Recess, in Factories under charge of the Accountant of Court, and brought by him direct before the Lord Ordinary :

	Reports.	Interlocutors.
Junior Lord Ordinary during Session - - - -	3	6
Lords Ordinary on Bills during Vacation - - -	1	2
TOTALS - - - -	4	8

ACCOUNTANT IN BANKRUPTCY.

The Number of Interlocutors or Orders pronounced by Junior Lord Ordinary during Session, and by Lords Ordinary officiating on Bills during Vacation and Recess, in Sequestrations under charge of the Accountant in Bankruptcy, and brought by him direct before the Lord Ordinary:

	Reports.	Interlocutors.
Junior Lord Ordinary in Session - - - -	-	4
Lords Ordinary on Bills in Vacation - - -	2	1
First Division - - - - -	1	3
TOTALS - - -	3	8

EXCHEQUER JUDGE.

The Number of Cases, Petitions, and other Applications presented to Lord Ormidale, as the Judge in Exchequer, by the Solicitor of Inland Revenue and by the Queen's and Lord Treasurer's Remembrancer in Exchequer, which are laid before the Judge without being brought into the Court of Session, and the Number of Interlocutors or Orders and Decisions pronounced therein :

	No. of Cases, &c.	Interlocutors or Orders.	Decisions.
During Session - - - - -	38	13	37
During Vacation and Recess - - -	3	-	3
TOTALS - - -	41	13	40

APPEAL REGISTRATION COURT

(Composed of Senior Lord Ordinary for the time, and the Judge in Exchequer Causes, being Lords Kinloch and Ormidale).

The Number of Appeals brought up from the Sheriffs, on adjusted Cases, relative to Claims by Parties to be put on the Roll of Voters :

There was one Appeal, but it was withdrawn before discussion.

A P P E A L S

Under Lands Valuation Act and Assessed Taxes Act to Senior Lord Ordinary and Lord Ordinary in Exchequer Causes.

1.—The Number of Appeals under Lands Valuation Act, stating the Number of Interlocutors and Judgments :

Number of Appeals - - - - -	4
Interlocutors - - - - -	1
Judgments - - - - -	4

2.—The Number of Appeals under Assessed Taxes Act, stating the Number of Interlocutors and Judgments :

Number of Appeals - - - - -	1
Interlocutors - - - - -	-
Judgments - - - - -	1

PRIVATE ESTATE BILLS.

The Number of Remits by the House of Lords to Two Judges of the Court of Session in each Bill, to make due Advertisement to all Parties interested to attend Judges; and after hearing them, to report their Opinion on Bill:

Remit to Lord Justice Clerk and Lord Barcaple - - - - - 1

BILL CHAMBER.

1.—The Number of Suspensions, Suspensions and Interdicts, Advocations, Appeals, &c. instituted in 1867, and in dependence at 31st December 1867 - - - - -	53
2.—The Number of Suspensions, Suspensions and Interdicts, Advocations, Appeals, Petitions, and other Applications presented, distinguishing those presented to Lord Mure, as Ordinary on the Bills during Session, from those presented to successive Lords Ordinary on Bills during Vacation and Recess:	
To Lord Mure during Session - - - - -	214
To successive Lords Ordinary during Vacations and Recess - - - - -	225
3.—The Number of the same disposed of, distinguishing those disposed of by Lord Mure during Session from those disposed of by successive Lords Ordinary on Bills during Vacations and Recess:	
By Lord Mure during Session - - - - -	115
By successive Lords Ordinary during Vacations and Recess - - - - -	89
<i>Note.</i> —This Article is broken into detail in Articles 5 and 6, <i>infra</i> .	
4.—The Number of Motions enrolled before Lord Mure in Daily Rolls of Court of Session, 283.	
5.—The Number of Sequestrations awarded, distinguishing those awarded by Lord Mure during Session from those awarded by successive Lords Ordinary during Vacation and Recess:	
By Lord Mure during Session - - - - -	43
By successive Lords Ordinary during Vacations and Recess - - - - -	40
6.—The Number of Judgments pronounced, other than in Petitions for Sequestration, distinguishing those pronounced by Lord Mure during Session from those pronounced by successive Lords Ordinary, on Bills during Vacations and Recess:	
By Lord Mure during Session - - - - -	72
By successive Lords Ordinary during Vacation, &c. - - - - -	49

COURT OF JUSTICIARY.

(1.)—HIGH COURT.

Number of Sittings of the Court, distinguishing those held on Mondays, during the Sittings of the Court of Session, from those held on other Days, and specifying the Number of Trials and of Persons tried, and the Results of such Trials; and also the Number of Suspensions of the Decrees or Judgments of Inferior Courts:

Sittings on Mondays during Session - - - - -	21
Sittings on other Days - - - - -	24
Number of Trials - - - - -	53
Number of Persons tried - - - - -	75
Number of Convictions on Pleas of Guilty - - - - -	24
Number of Convictions by Verdict - - - - -	44
Number of Acquittals by Verdict - - - - -	5
Number of Cases deserted <i>pro loco et tempore</i> , Outlawries, &c. - - - - -	2
Number of Suspensions, &c. from inferior Courts - - - - -	24

(2.)—CIRCUIT COURTS.

The Number of Days occupied by the Circuits of the Court, specifying the Number of Trials and of Persons tried, and the Results of such Trials; and also the Number of Appeals from Inferior Courts:

Number of Days occupied - - - - -	104
Number of Trials - - - - -	237
Number of Persons tried - - - - -	318
Number of Convictions on Pleas of Guilty - - - - -	82
Number of Convictions by Verdict - - - - -	162
Number of Acquittals by Verdict - - - - -	54
Cases deserted <i>pro loco et tempore</i> , Outlawries, &c. - - - - -	20
Number of Appeals from inferior Courts - - - - -	21

Crown Office, Edinburgh, }
19 March 1868.

T. G. Murray,
Crown Agent for Scotland.

COURT OF SESSION, &c. (SCOTLAND).

RETURN of the Causes and PERRONS instituted and decided in the COURT of Session in the Year 1867, and of the Procedure in Court in these Causes, and all other Causes in dependence during that Year; stating separately the Causes depending before each Lord Ordinary in the Outer House, and before each Division of the Inner House respectively; &c.

(*Sir Edward Colebrooke.*)

*Ordered, by The House of Commons, to be Printed,
23 March 1868.*

COMMITTALS (SCOTLAND).

RETURN to an Address of the Honourable The House of Commons,
dated 10 March 1868 ;—*for*,

“RETURN of the Number of PERSONS COMMITTED to PRISON in *Scotland*,
during the Years 1866 and 1867, in order to TRIAL before the COURT of
JUSTICIARY; stating the Time each Person so Committed was Confined
in Prison previous to Trial, and the Crime for which such Person was
Tried.”

(*Sir Robert Anstruther.*)

Ordered, by The House of Commons, to be Printed,
18 May 1868.

RETURN of the Number of PERSONS COMMITTED to PRISON in *Scotland*, during the Years 1866 and 1867, in Order to TRIAL before the COURT of JUSTICIARY; stating the Time each Person so Committed was Confined in Prison previous to Trial, and the Crime for which such Person was Tried.

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
1	Andrew Brown	Murder	High Court of Justiciary at Edinburgh.	9 Sept. 1865	-	8 Jan. 1866	Days. 120	
2	Elizabeth Edmiston	Writing and sending threatening letters	-	21 Sept.	-	15 Jan.	7	
3	Margaret Cuthbert	Theft, and previous conviction	-	29 Sept.	-	15 Jan.	107	
4	Richard Webb	Theft, and previous conviction	-	27 Oct.	-	15 Jan.	79	
5	Thomas Hastie	Falsehood, fraud, &c., and previous conviction; also theft	-	7 Sept.	-	22 Jan.	136	
6	George Common	Theft, habit, repute, and previous conviction	-	9 Oct.	-	22 Jan.	104	
7	Mary Ann Sherlock or Wilson	Theft, habit, repute, and previous conviction	-	18 Nov.	-	22 Jan.	64	
8	Catherine Smith	Theft, and previous conviction	-	18 Nov.	-	22 Jan.	64	
9	James Stevenson	Breach of trust and embezzlement, forgery, and uttering	-	6 July	-	29 Jan.	206	
10	John Kirkwood	Sheep stealing, and previous conviction	-	29 Jan.	-	29 Jan.	213	
11	Margaret Nairne or Wynn	Wilful fire raising	-	2 Sept.	-	29 Jan.	148	
12	Christina McLean or McKinnon	Theft, and previous conviction	-	18 Nov.	-	5 Feb.	78	
13	Sarah McKenna or McGill	Theft, and previous conviction	-	14 Dec.	-	5 Feb.	52	
14	Patrick White	Theft by housebreaking, habit, repute, and previous conviction	-	25 Nov.	-	5 Feb.	71	
15	Patrick Dollan	Rape, or assault with intent	-	11 Sept.	-	5 Feb.	146	
16	Charles McDonald	Rape, or assault with intent	-	11 Sept.	-	5 Feb.	146	
17	Henry Orphoot Swanson	Convicted, 1 Vict. c. 36, ss. 26 and 27 (post office)	-	24 Oct.	-	5 Feb.	103	
18	David Beveridge	Assault to fracture of bones and danger of life	-	25 Sept.	-	12 Feb.	139	
19	Alexander MacNeill or Neill	Robbery	-	30 Nov.	-	12 Feb.	73	
20	George King	Robbery	-	30 Nov.	-	12 Feb.	73	
21	Elizabeth Flint Robertson	Theft, and previous conviction	-	7 Dec.	-	12 Feb.	66	
22	James Aitken	Forgery, and uttering	-	1 Dec.	-	5 Mar.	93	
23	George Trener	Theft by housebreaking, and previous conviction	-	26 Jan. 1866	-	5 Mar.	37	
24	Jane McKenna or Emslie	Theft, habit, repute, and previous conviction	-	4 Nov. 1865	-	5 Mar.	120	
25	Francis Hieslen	Assault to fracture of bones and danger of life	-	15 Feb. 1866	-	19 Mar.	31	
26	George Thomson	Theft, and previous conviction	-	19 Feb.	-	19 Mar.	27	
27	Alexander Ralston	Theft, and previous conviction	-	16 Feb.	-	19 Mar.	30	
28	Andrew Beveridge	Theft by housebreaking, and previous conviction	-	8 Feb.	-	21 May	101	
29	James Nivison	Theft by housebreaking	-	8 Feb.	-	21 May	101	
30	Thomas Melvin	Theft by housebreaking	-	25 Feb.	-	21 May	84	
31	Alexander MacDiarmid	Forgery, as also theft	-	13 April	-	11 June	58	
32	William Kirk	Rape, or assault with intent	-	1 Feb.	-	18 June	136	
33	Peter Grieve	Wilful fire raising, or attempt	-	7 May	-	25 June	48	
34	Jessie Pringle	Theft, and previous conviction	-	30 April	-	25 June	55	
35	Barbara Miller or Andrews	Murder, or culpable homicide	-	26 July	-	2 July	8	
36	John Douglas, junior	Convicted, 17 & 18 Vict. c. 102, s. 5 (undue influence at elections)	-	26 July	-	2 July	8	
37	James Irving	Convicted, 17 & 18 Vict. c. 102, s. 5 (undue influence at elections)	-	5 Mar. 1866	-	16 July	132	
38	James Grassick	Breach of trust and embezzlement, or theft	-	14 April	-	16 July	92	
39	Frederick Harcourt Cairre	Theft by housebreaking, and previous conviction; forgery and uttering	-	4 May	-	16 July	72	
40	Robert Purvis	Theft by housebreaking	-	4 May	-	16 July	72	
41	John William Yule	Theft, habit, repute, and previous conviction	-	16 May	-	16 July	60	
42	Mary Hepburn	Theft, habit, repute, and previous conviction	-	16 May	-	16 July	60	
43	Isabella McPherson Raphael	Theft, habit, repute, and previous conviction	-	19 May	-	16 July	57	
44	Mary Gillespie or Hay	Theft, and previous conviction	-	24 May	-	19 Nov.	178	
45	James Williamson	Murder, or culpable homicide	-	4 Sept.	-	19 Nov.	75	
46	John McCabe	Robbery or theft, habit, repute, and previous conviction	-	4 Sept.	-	19 Nov.	75	
47	Margaret Hannah or Agnew	Robbery or theft	-	4 Sept.	-	19 Nov.	75	

NUMBER OF PERSONS COMMITTED TO PRISON IN SCOTLAND DURING THE YEARS 1866 AND 1867, IN ORDER TO TRIAL BEFORE THE COURT OF JUSTICIARY, &c.—*continued.*

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
106	William Sloan	Culpable homicide	Circuit Court, Glasgow	14 Feb. 1866	-	3 May 1866	77	
107	Alexander Sweeney	Assault and robbery	- ditto -	7 April "	-	3 May "	25	
108	Ann Graham	Assault and robbery	- ditto -	7 April "	-	3 May "	25	
109	Mary Ann McFarlane or Robertson.	Assault and robbery	- ditto -	7 April "	-	3 May "	25	
110	Mary Clark	Assault and robbery	- ditto -	7 April "	-	3 May "	25	
111	John Caldwell	Assault, with intent, or lewd practices	- ditto -	22 Sept. 1865	-	3 May "	222	
112	John Early	Theft, and previous conviction	- ditto -	30 Nov. "	-	3 May "	154	
113	John O'Donnell	Theft, and previous conviction	- ditto -	30 Nov. "	-	4 May "	154	
114	James McGhee	Theft, and previous conviction	- ditto -	30 Nov. "	-	4 May "	154	
115	Robert Lyon	Theft by housebreaking, and previous conviction	- ditto -	2 Mar. 1866	-	4 May "	62	
116	James Simpson	Theft by housebreaking, and previous conviction	- ditto -	2 Mar. "	-	4 May "	62	
117	James Campbell	Theft by housebreaking, and previous conviction	- ditto -	2 Mar. "	-	4 May "	62	
118	Jane Hughes or McKenzie	Theft by housebreaking, and previous conviction, or housebreaking with intent.	- ditto -	24 Feb. "	-	4 May "	68	
119	Daniel Glen	Reset of theft, as also theft	- ditto -	1 Dec. 1865	-	4 May "	153	
120	Alexander Webster	Theft, and previous conviction	- ditto -	1 Dec. "	-	4 May "	153	
121	Owen McCumisky	Assault and robbery	- ditto -	19 Feb. 1866	-	4 May "	73	
122	James Montague	Assault and robbery	- ditto -	19 Feb. "	-	4 May "	73	
123	Agnes Stewart	Assault and robbery	- ditto -	19 Feb. "	-	4 May "	73	
124	John McNair	Culpable homicide	- ditto -	21 Mar. "	24 Mar. 1866	4 May "	3	
125	Alexander Mitchell	Theft, by housebreaking, and previous conviction	- ditto -	14 Mar. "	-	4 May "	50	
126	James McDonald	Reset of theft, and previous conviction	- ditto -	24 Mar. "	-	4 May "	40	
127	James Orr	Theft, and previous conviction	Circuit Court, Stirling	28 Feb. 1866	-	26 April "	56	
128	William Keir	Theft, and previous conviction	- ditto -	13 Feb. "	-	26 April "	71	
129	Ann Robertson or Webster	Theft, and previous conviction	- ditto -	29 Jan. "	-	26 April "	86	
130	Hamilton Mitchell	Theft by housebreaking, and previous conviction	- ditto -	10 Feb. "	-	26 April "	74	
131	John Fisher	Assault, with intent to ravish, and theft	- ditto -	19 Mar. "	-	26 April "	37	
132	Matilda or Matilda Mary Reid, or Cowie or Massie.	Bigamy	- ditto -	13 Feb. "	-	26 April "	71	
133	John McCorry or McCurrie	Bigamy	- ditto -	24 Nov. 1865	-	26 April "	152	
134	John McFarlane	Bigamy	- ditto -	17 Mar. 1866	-	26 April "	39	
135	Patrick Connolly	Convicted 24 & 25 Vict. c. 99, ss. 9, 10, 11 (base coin)	- ditto -	4 April "	-	26 April "	22	
136	William Russell	Culpable homicide	- ditto -	31 Jan. "	-	26 April "	84	
137	Robert Forsyth	Rape, or assault with intent to ravish	- ditto -	17 Feb. "	-	27 April "	68	
138	John Laird	Rape, or assault with intent to ravish	- ditto -	17 Feb. "	-	27 April "	68	
139	Hugh Forsyth	Rape, or assault with intent to ravish	- ditto -	17 Feb. "	-	27 April "	68	
140	John Cowan	Rape, or assault with intent to ravish	- ditto -	17 Feb. "	-	27 April "	68	
141	Charles Cowan	Rape, or assault, with intent to ravish	- ditto -	17 Feb. "	-	27 April "	68	
142	Joseph Orpary or Orsory	Convicted 9 Geo. 4, c. 69, s. 9 (night poaching)	- ditto -	31 Oct. 1865	27 Nov. 1865	27 April "	27	
143	William Russell	Convicted 9 Geo. 4, c. 69, s. 9 (night poaching)	- ditto -	31 Oct. "	21 Nov. "	27 April "	21	
144	James Henderson	Theft, and previous conviction	Circuit Court, Perth	8 Jan. 1866	-	23 April "	104	
145	James Reid	Theft, habit, repute, and previous conviction	- ditto -	26 Mar. "	-	23 April "	27	
146	Alexander Ingram	Theft by housebreaking, and previous conviction, or housebreaking with intent.	- ditto -	4 Dec. 1865	-	23 April "	139	
147	Christian Steedman or Ingram	Theft by housebreaking, and previous conviction, or housebreaking with intent.	- ditto -	4 Dec. "	-	23 April "	139	
148	Norman Steven or Stiven	Theft, and previous conviction	- ditto -	19 Feb. 1866	-	23 April "	62	

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NUMBER OF PERSONS COMMITTED TO PRISON IN *Scotland* DURING THE YEARS 1866 AND 1867, IN ORDER TO TRIAL BEFORE THE COURT OF JUSTICIARY, &c.—*continued*.

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
203	Robert Morris Beveridge	Forgery and uttering	Circuit Court, Ayr	8 Feb. 1866	-	12-13 Apr. 1866	Days.	
204	John Frew	Night poaching	- ditto - ditto -	18 Nov. 1865	-	13 April "	62	
205	Peter Darcy	Assault, with intent to ravish	Circuit Court, Dumfries	27 Nov. "	-	17 April "	145	
206	John Adair	Assault, with intent to ravish	- ditto - ditto -	27 Nov. "	-	17 April "	140	
207	Daniel Gallocher	Lewd practices, and previous conviction	- ditto - ditto -	6 Feb. 1866	-	17 April "	69	
208	Thomas Henderson	Sheep stealing	- ditto - ditto -	5 Oct. 1865	-	17 April "	193	
209	James Guthrie	Assault, with intent to ravish	Circuit Court, Jedburgh	5 Mar. 1866	10 Mar. 1866	20 April "	5	
210	Jane Scougall	Child murder, or concealment	- ditto - ditto -	1 Jan. "	-	20 April "	108	
211	Elizabeth McDonald	Theft, and previous conviction	Circuit Court, Glasgow	27 April "	-	24 Sept. "	149	
212	John Armstrong	Theft, and previous conviction	- ditto - ditto -	29 June "	-	24 Sept. "	86	
213	Mary Ann Smith or Armstrong.	Theft, and previous conviction	- ditto - ditto -	29 June "	-	24 Sept. "	86	
214	Catherine McCue	Theft	- ditto - ditto -	29 June "	-	24 Sept. "	86	
215	Jane Brown	Theft, and previous conviction	- ditto - ditto -	29 June "	-	24 Sept. "	52	
216	John Kelly	Theft, and previous conviction	- ditto - ditto -	17 Aug. "	-	24 Sept. "	37	
217	William Murray	Theft, and previous conviction	- ditto - ditto -	2 Aug. "	-	24 Sept. "	52	
218	Elizabeth White or Askey	Theft, habit, repute, and previous conviction	- ditto - ditto -	9 July "	-	24 Sept. "	76	
219	Thomas Boyle	Theft by housebreaking	- ditto - ditto -	27 July "	-	24 Sept. "	58	
220	Robert Parker	Theft by housebreaking, and previous conviction	- ditto - ditto -	5 June "	-	24 Sept. "	110	
221	Catherine Dearte or Christie	Assault and robbery	- ditto - ditto -	16 April "	-	24 Sept. "	100	
222	Mary Dearth, or Wilson	Assault and robbery	- ditto - ditto -	16 April "	-	24 Sept. "	100	
223	Bridget Docherty	Assault and robbery	- ditto - ditto -	16 April "	-	24 Sept. "	100	
224	Henry McEwan	Assault and robbery	- ditto - ditto -	21 July "	-	24 Sept. "	64	
225	Neil McGuire	Assault and robbery	- ditto - ditto -	21 July "	-	24 Sept. "	78	
226	George Gordon	Assault and robbery	- ditto - ditto -	7 July "	-	24 Sept. "	78	
227	Thomas Slowey	Assault by stabbing	- ditto - ditto -	7 July "	-	24 Sept. "	61	
228	William Dobbie	Carrying off effects to defraud creditors, &c.	- ditto - ditto -	24 July "	-	24 Sept. "	120	
229	Agnes Malcolm or Gray	Theft, and previous conviction	- ditto - ditto -	26 May "	-	24 Sept. "	58	
230	William Wright	Horse stealing, and previous conviction	- ditto - ditto -	27 July "	-	24 Sept. "	113	
231	Agnes Wilson or Sweeney	Theft, and previous conviction	- ditto - ditto -	2 June "	-	24 Sept. "	125	
232	William Armstrong	Theft, and previous conviction	- ditto - ditto -	22 May "	-	25 Sept. "	84	
233	John Connell	Robbery, or theft	- ditto - ditto -	2 July "	-	25 Sept. "	63	
234	John Buchanan	Rape, or assault with intent	- ditto - ditto -	31 July "	-	25 Sept. "	52	
235	John Brownlie	Rape, or assault with intent	- ditto - ditto -	27 April "	-	25 Sept. "	52	
236	William Glen	Sodomy, or attempt	- ditto - ditto -	27 April "	-	25 Sept. "	48	
237	Maurice Broadley	Sodomy, or attempt	- ditto - ditto -	7 Aug. "	-	25 Sept. "	48	
238	Mary Devine	Assault by stabbing	- ditto - ditto -	7 Aug. "	-	25 Sept. "	86	
239	Archibald Houston	Assault by presenting loaded fire-arms, and theft	- ditto - ditto -	28 June "	-	25 Sept. "	137	
240	George Grant	Wilful fire raising, or attempt	- ditto - ditto -	10 May "	-	25 Sept. "	34	
241	James Murray	Theft, and previous conviction	- ditto - ditto -	8 May "	-	25 Sept. "	40	
242	Mary Thomson	Theft, habit, repute, and previous conviction	- ditto - ditto -	6 Aug. "	-	25 Sept. "	73	
243	Alexander McFarlane	Theft, or reset	- ditto - ditto -	13 July "	-	25 Sept. "	53	
244	William Wilson	Theft by housebreaking, and previous conviction	- ditto - ditto -	13 July "	-	25 Sept. "	53	
245	John McLaren	Theft by housebreaking, and previous conviction	- ditto - ditto -	2 Aug. "	-	25 Sept. "	31	
246	Alexander Manuel	Theft by housebreaking, and previous conviction	- ditto - ditto -	13 July "	-	25 Sept. "	129	
247	William Lawson	Theft by housebreaking, and previous conviction	- ditto - ditto -	18 May "	-	25 Sept. "	69	
248	Alexander McTaggart	Murder, or assault	- ditto - ditto -	17 July "	-	25 Sept. "		

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NUMBER of Persons Committed to Prison in Scotland during the Years 1866 and 1867, in order to Trial before the Court of Justiciary, &c.—continued.

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
307	Peter Luke	Theft, and attempt at subornation of perjury	Circuit Court, Dundee	7 April 1866	10 April 1866	11, 12 Sept. 1866	Days. 3	
308	Rose Donnohoe or Skelly	Theft, and previous conviction	ditto - ditto	3 May	"	12 Sept. "	131	
309	David Coupar	Robbery	ditto - ditto	10 July	"	13 Sept. "	64	
310	Margaret McGowan	Robbery	ditto - ditto	10 July	"	13 Sept. "	64	
311	Sarah Dailly	Robbery	ditto - ditto	10 July	"	13 Sept. "	64	
312	Bridget Kenny or Lynch	Murder	ditto - ditto	9 May	"	13 Sept. "	120	
313	George Fleming	Culpable homicide	ditto - ditto	3 July	"	13 Sept. "	—	
314	John Douglas	Theft, and previous conviction	Circuit Court, Aberdeen	21 May	"	21 Sept. "	122	
315	James Rafferty	Theft -	ditto - ditto	21 May	"	21 Sept. "	122	
316	John Cameron	Theft, and previous conviction	ditto - ditto	23 Aug.	"	21 Sept. "	28	
317	Alexander M'Bryde	Theft, habit, repute, and previous conviction	ditto - ditto	30 July	"	21 Sept. "	32	
318	John Stephen	Theft, habit, repute, and previous conviction	ditto - ditto	23 July	"	21 Sept. "	50	
319	George Campbell	Theft by shipbreaking, and previous conviction	ditto - ditto	2 Aug.	"	21 Sept. "	49	
320	William Allan	Theft by housebreaking, and previous conviction	ditto - ditto	22 Aug.	"	21 Sept. "	29	
321	William Birnie	Convicted 24 & 25 Vict. c. 39, ss. 9, 10 (base coin)	ditto - ditto	25 Aug.	"	21 Sept. "	20	
322	George Lumsden Longmuir	Breach of trust and embezzlement, or theft	ditto - ditto	19 April	"	21 Sept. "	154	
323	John Patrick	Theft, habit, repute, and previous conviction	ditto - ditto	24 Aug.	"	21 Sept. "	27	
324	Mary Patrick	Theft, habit, repute, and previous conviction	ditto - ditto	24 Aug.	"	21 Sept. "	27	
325	Alexander Leitch	Theft, habit, repute, and previous conviction	ditto - ditto	24 Aug.	"	21 Sept. "	27	
326	James Campbell or Michael Berry.	Theft by housebreaking, and previous conviction, or housebreaking with intent.	Circuit Court, Inverness	26 July	"	26 Sept. "	61	
327	John Wood	Assault by stabbing, and previous conviction	ditto - ditto	10 Aug.	"	26 Sept. "	46	
328	George Ross	Rape	ditto - ditto	12 July	"	26 Sept. "	75	
329	James McMillan	Theft, and previous conviction	Circuit Court, Ayr	30 May	"	11 Sept. "	103	
330	Mary Borland or Watson	Theft, and previous conviction (child stripping)	ditto - ditto	2 June	"	11 Sept. "	100	
331	James Stewart	Murder	ditto - ditto	2 April	"	11 Sept. "	161	
332	James Davidson	Theft, by opening lockfast places	Circuit Court, Dumfries	7 May	"	14 Sept. "	139	
333	Thomas Dearie	Conviction, 17 & 18 Vict. c. 102, s. 5 (undue influence)	ditto - ditto	Not committed	"	14 Sept. "	—	Liberated on his own bond, 21st May 1866.
334	Richard McGinnes	Theft by housebreaking, and previous conviction	Circuit Court, Glasgow	17 Sept. 1866	"	26 Dec. "	99	
335	William Smith	Assault	ditto - ditto	20 Sept. "	21 Sept. 1866	26 Dec. "	1	
336	Mary Gordon	Theft, and previous conviction	ditto - ditto	10 Nov.	"	26 Dec. "	45	
337	John Welsh	Theft, and previous conviction	ditto - ditto	27 Oct.	"	26 Dec. "	59	
338	William McAre	Theft, and previous conviction	ditto - ditto	1 Nov.	"	26 Dec. "	54	
339	Thomas Cairns	Theft, and previous conviction	ditto - ditto	1 Nov.	"	26 Dec. "	54	
340	Margaret Stewart or Robertson	Theft, and previous conviction	ditto - ditto	17 Sept.	"	26 Dec. "	99	
341	Margaret Reilly	Theft, and previous conviction	ditto - ditto	5 Sept.	"	26 Dec. "	111	
342	Andrew Galloway	Theft, and previous conviction	ditto - ditto	1 Nov.	"	26 Dec. "	54	
343	William Dalby	Theft, habit, repute	ditto - ditto	1 Nov.	"	26 Dec. "	54	
344	James Gordon	Theft, habit, repute, and previous conviction	ditto - ditto	1 Sept.	"	26 Dec. "	115	
345	William Pringle	Theft, habit, repute, and previous conviction	ditto - ditto	7 Nov.	"	26 Dec. "	48	
346	Mary McDonald or O'Brien	Theft by opening lockfast places, and previous conviction	ditto - ditto	12 Nov.	"	26 Dec. "	45	
347	John Lachlan or Lokin	Theft by housebreaking, and previous conviction	ditto - ditto	24 Sept.	"	26 Dec. "	92	
348	Thomas Cameron	Falshood, fraud, &c., and previous conviction	ditto - ditto	25 Sept.	"	26 Dec. "	91	
349	William Hawthorn	Assault and robbery	ditto - ditto	7 Sept.	"	26 Dec. "	109	

John Murray	Assault and robbery	-	-	-	3 Nov.	-	26 Dec.	52	
John Wilson	Assault and robbery	-	-	-	5 Nov.	-	26 Dec.	50	
James M'Donald	Rape, or assault with intent	-	-	-	20 Sept.	-	26 Dec.	95	
James M'Conachy	Bigamy	-	-	-	24 Oct.	-	26 Dec.	62	
Matthew M'Carter	Theft, habit, repute, and previous conviction	-	-	-	14 Sept.	-	27 Dec.	103	
James Gordon	Theft, habit, repute, and previous conviction	-	-	-	24 Sept.	-	27 Dec.	33	
Henry Webb	Theft	-	-	-	22 Sept.	-	27 Dec.	95	
Charles Green	Theft, or reset of theft	-	-	-	14 Sept.	-	27 Dec.	103	
Mary Burns	Theft, habit, repute, and previous conviction; also robbery	-	-	-	28 Sept.	-	27 Dec.	80	
Jane Coutts or Cassidy	Theft, habit, repute, and previous conviction; also robbery	-	-	-	4 Oct.	-	27 Dec.	83	
Elizabeth Henderson	Theft, habit, repute; also robbery	-	-	-	28 Sept.	-	27 Dec.	89	
Bruce White	Rape or assault; also lewd practices	-	-	-	14 Nov.	-	27 Dec.	43	
Janet Muir or Paterson	Bigamy	-	-	-	-	-	27 Dec.	-	
Ann Hamilton or Bartram	Theft by domestic servant	-	-	-	15 Nov.	-	27 Dec.	41	Accused absconded, and was indicted for fugitation, but appeared at bar and pled guilty.
Maddeline Wilson	Theft by domestic servant	-	-	-	15 Nov.	-	27 Dec.	41	
Elizabeth M'Hale	Theft, and previous conviction	-	-	-	3 Dec.	-	27 Dec.	24	
Margaret Taylor or Anderson	Theft, and previous conviction	-	-	-	3 Dec.	-	27 Dec.	24	
John Robertson	Theft by housebreaking, and previous conviction	-	-	-	{ 13 Feb. 1865 } 7 Dec. 1866	-	27 Dec.	20	Accused escaped on 17th February 1865, was re-apprehended, and committed to prison on 7th December 1866.
Donald Blair	Mobbing and rioting, &c.	-	-	-	13 Sept.	-	27, 28 Dec.	7	
Edward Muhlolland	Mobbing and rioting, &c.	-	-	-	13 Sept.	-	27, 28 Dec.	7	
Benjamin Marshall	Mobbing and rioting, &c.	-	-	-	13 Sept.	-	27, 28 Dec.	7	
John Boyd	Mobbing and rioting, &c.	-	-	-	13 Sept.	-	27, 28 Dec.	7	
George Campbell	Mobbing and rioting, &c.	-	-	-	13 Sept.	-	27, 28 Dec.	7	
William Kinsley	Theft, habit, repute, and previous conviction	-	-	-	16 Nov.	-	27, 28 Dec.	7	
Margaret Currie	Theft, and previous conviction	-	-	-	16 Nov.	-	28 Dec.	41	
William Cassidy	Assault and robbery	-	-	-	16 Nov.	-	28 Dec.	41	
Ann Muilen	Convicted 24 & 25 Vict. c. 99, ss. 11 and 24 (base coin)	-	-	-	24 Sept.	-	28 Dec.	90	
William M'Gowan	Theft, and previous conviction	-	-	-	24 Sept.	-	28 Dec.	94	
John Campbell	Theft by housebreaking, and previous conviction	-	-	-	1 Dec.	-	28 Dec.	27	
William Thomson	Theft by housebreaking, and previous conviction	-	-	-	6 Nov.	-	28 Dec.	51	
Elizabeth Kelly or Govan	Theft, habit, repute, and previous conviction	-	-	-	6 Nov.	-	28 Dec.	28	
Thomas Finnigan	Theft by housebreaking, and previous conviction	-	-	-	29 Nov.	-	28 Dec.	43	
James M'Mahon	Theft by housebreaking, and previous conviction	-	-	-	14 Nov.	-	28 Dec.	43	
John Hughes	Theft by housebreaking, and previous conviction	-	-	-	14 Nov.	-	28 Dec.	43	
John M'Connell	Theft by housebreaking, and previous conviction	-	-	-	14 Nov.	-	28 Dec.	43	
Ann Maloney or M'Connell	Assault and robbery	-	-	-	26 Nov.	-	28 Dec.	31	
Ann Conchan or Johnston	Assault and robbery	-	-	-	26 Nov.	-	28 Dec.	31	
Peter Wilson Brown M'Nair, or Patrick Brown M'Nair.	Bigamy	-	-	-	26 Nov.	-	28 Dec.	31	
Thomas Tillie	Forgery and uttering	-	-	-	15 Sept.	11 Oct. 1866	7 Jan. 1867	26	
John Taylor	Forgery and uttering	-	-	-	15 Sept.	-	7 Jan.	90	
James Roy	Robbery and assault	-	-	-	29 Sept.	-	7 Jan.	61	
John Dollan	Robbery and assault	-	-	-	6 Nov.	-	7 Jan.	132	
James Collins	Theft, and previous conviction	-	-	-	27 Aug.	-	7 Jan.	65	
John Walker	Theft, and previous conviction	-	-	-	2 Nov.	-	7 Jan.	36	
Alexander Young	Bigamy	-	-	-	1 Dec.	-	7 Jan.	58	
John Banks	Robbery or theft, habit, repute, and previous conviction	-	-	-	16 Nov.	-	14 Jan.	43	
Alexander Crawford	Robbery or theft, habit, repute	-	-	-	1 Dec.	-	14 Jan.	43	
Arthur Watson	Robbery, or assault to rob, and previous conviction	-	-	-	1 Dec.	-	14 Jan.	47	
Rose Ann Donnohue	Robbery, or assault to rob, and previous conviction	-	-	-	27 Nov.	-	14 Jan.	47	
C. M'Kenzie or Leckie	Robbery, or assault to rob	-	-	-	27 Nov.	-	14 Jan.	47	
Catherine M'Leskie	Theft by housebreaking, and previous conviction	-	-	-	27 Nov.	-	14 Jan.	47	
James M'Kenzie	Theft, and previous conviction	-	-	-	27 Nov.	-	14 Jan.	50	
Andrew Scott	Incest	-	-	-	29 Nov.	-	28 Jan.	47	
Francis Whitelaw	Incest	-	-	-	11 Dec.	-	28 Jan.	120	
Jessie Bird	Robbery or theft, habit, repute, and previous conviction	-	-	-	27 Sept.	-	4 Feb.	120	
Alexander Vinepress	Robbery or theft, habit, repute, and previous conviction	-	-	-	27 Sept.	-	4 Feb.	82	
Robert Fletcher	Robbery or theft, habit, repute	-	-	-	13 Nov.	-	4 Feb.	82	

NUMBER OF PERSONS COMMITTED TO PRISON IN SCOTLAND DURING THE YEARS 1863 AND 1867, IN ORDER TO TRIAL BEFORE THE COURT OF JUSTICIARY, &c.—continued.

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
407	James Dickson	Theft	High Court of Justiciary at Edinburgh.	9 Sept. 1866	-	4 Feb. 1867	Days. 153	
408	Peter Lynes	Murder, or assault to danger of life	-	31 Oct. "	-	18 Feb. "	109	
409	Norman Steven	Theft, and previous conviction, or reset	-	9 Nov. "	-	18 Feb. "	100	
410	Adam Baxter	Assault, and previous conviction, and robbery	-	10 Nov. "	-	4 Mar. "	113	
411	Alexander Rae	Assault, and previous conviction, and robbery	-	10 Nov. "	-	4 Mar. "	113	
412	William McCann	Assault, and previous conviction, and robbery	-	10 Nov. "	-	4 Mar. "	113	
413	Walter McBeth	Theft, and previous conviction	-	29 Dec. "	-	4 Mar. "	64	
414	Agnes Henderson or Johnston	Theft, and previous conviction	-	12 Jan. 1867	-	4 Mar. "	50	
415	Ann Callaghan or Dolby	Theft, and previous conviction	-	16 Jan. "	-	4 Mar. "	46	
416	James Ronaldson	Falsehood, fraud, &c., and previous conviction, or theft	-	3 Dec. 1866	-	18 Mar. "	104	
417	John McKenna	Theft, habit, repute, and previous conviction	-	16 Jan. 1867	-	18 Mar. "	60	
418	Patrick McGinnes	Theft, habit, repute, and previous conviction	-	16 Jan. "	-	18 Mar. "	60	
419	Catherine McCallum	Theft, habit, repute, and previous conviction	-	16 Jan. "	-	18 Mar. "	60	
420	Thomas Biset	Theft, and previous conviction	-	3 Dec. 1866	-	18 Mar. "	104	
421	John Henry Greutrex	Forgery and uttering of forged bank notes	-	27 Dec. "	-	9, 10, 11 May "	132	
422	Sewell Grimshaw	Forgery and uttering of forged bank notes	-	24 Oct. "	-	9, 10, 11 May "	196	
423	Thomas Grimshaw	Forgery and uttering of forged bank notes	-	24 Oct. "	-	9, 10, 11 May "	196	
424	James McKercher	Convicted 1 Vict. c. 36, ss. 26 and 27 (Post Office)	-	12 Jan. 1867	-	13 May "	120	
425	William Lynch	Convicted 24 & 25 Vict. c. 99, ss. 2, 9, 24 (base coin)	-	18 Jan. "	-	13 May "	114	
426	John Bonar	Convicted 24 & 25 Vict. c. 99, ss. 2, 9, 24 (base coin)	-	18 Jan. "	-	13 May "	114	
427	James Martin	Theft by housebreaking, and previous conviction	-	4 Feb. "	-	13 May "	97	
428	Francis Diamond	Theft, habit, repute, and previous conviction	-	22 Feb. "	-	13 May "	79	
429	Kenneth Davidson	Forgery and uttering bank cheques	-	27 Mar. "	-	3 June "	67	
430	William Lyon	Convicted 24 & 25 Vict. c. 99, ss. 10, 11, 24 (base coin)	-	18 Jan. "	-	3 June "	135	
431	Mary McPherson or Lyon	Convicted 24 & 25 Vict. c. 99, ss. 10, 11, 24 (base coin)	-	18 Jan. "	-	3 June "	135	
432	Alexander McIntosh	Theft by housebreaking, and previous conviction	-	6 April "	-	3 June "	57	
433	John Smith	Theft by housebreaking, and previous conviction	-	6 April "	-	3 June "	57	
434	Elizabeth Conolly	Theft, and previous conviction	-	21 Feb. "	-	3 June "	101	
435	Ann Wilson or Campbell	Theft, and previous conviction	-	23 Mar. "	-	3 June "	71	
436	Michael Burns	Theft by housebreaking, &c.	-	14 Feb. "	-	10 June "	115	
437	Daniel Clark	Theft or robbery, or reset	-	5 Mar. "	-	10 June "	96	
438	Christina McIntosh	Child murder	-	13 Mar. "	-	17 June "	95	
439	John Porteous	Forgery and uttering	-	11 Jan. "	-	1, 2 July "	57	
440	James Ferguson	Theft, habit, repute, and previous conviction	-	18 May "	-	15 July "	57	
441	Duncan McNaughton	Theft, habit, repute, and previous conviction	-	18 May "	-	15 July "	57	
442	Christina McConnell or McKenzie	Theft, habit, repute	-	19 June "	-	15 July "	25	
443	Robert Reid	Theft, habit, repute, and previous conviction	-	19 June "	-	15 July "	25	
444	Thomas Handley	Theft, habit, repute, and previous conviction	-	22 May "	-	15 July "	53	
445	John Craig	Murder	-	26 June "	-	30 Oct. "	125	
446	James Gibson	Murder, or assault with fire-arms	-	15 Sept. "	-	18 Nov. "	63	
447	Alexander Bisset	Murder	-	28 Oct. "	-	2 Dec. "	34	
448	Helen Johnston or Lavery	Theft, and previous conviction	-	12 April "	-	2 Dec. "	233	
449	Jane Kelly or Mullan	Theft, and previous conviction	-	28 Aug. "	-	2 Dec. "	97	
450	Mary Jane O'Donnell	Theft, habit, repute, and previous conviction	-	17 Aug. "	-	2 Dec. "	106	
451	John Corker	Theft, habit, repute, and previous conviction	-	10 Sept. "	-	2 Dec. "	82	
452	Peter Lochrane	Theft, and previous conviction	-	17 July "	-	2 Dec. "	137	
453	Peter Dewar	Theft, and previous conviction	-	17 July "	-	2 Dec. "	137	
454	Thomas Vernon	Theft	-	4 Oct. "	-	9 Dec. "	78	
455	John Gillenlane	Theft, habit, repute, and previous conviction	-	4 Oct. "	-	9 Dec. "	65	

[illegible]

NUMBER of Persons Committed to Prison in Scotland during the Years 1866 and 1867, in order to Trial before the Court of Justiciary, &c.—continued

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
514	James Crichton	Murder	Circuit Court, Perth	17 Dec. 1866	-	9 April 1867	Days. 112	
515	John Milroy	Culpable homicide, or assault	ditto ditto	5 Oct. "	-	9 April "	185	
516	Martin Milroy	Culpable homicide, or assault	ditto ditto	5 Oct. "	-	9 April "	185	
517	John Livingston	Convicted 9 Geo. 4, c. 68, ss. 2 & 9, assault, and previous conviction	ditto ditto	23 Dec. "	-	9 April "	107	
518	James Ross	Convicted 9 Geo. 4, c. 68, ss. 2 & 9, assault, and previous conviction	ditto ditto	5 Jan. 1867	-	9 April "	93	
519	David Mitchell	Convicted 9 Geo. 4, c. 68, ss. 2 & 9, assault, and previous conviction	ditto ditto	15 Dec. 1866	-	9 April "	114	
520	George Hay	Convicted 9 Geo. 4, c. 68, ss. 2 & 9, assault, and previous conviction	ditto ditto	31 Dec. "	-	9 April "	98	
521	John Adams	Theft	Circuit Court, Dundee	12 Nov. "	-	5 April "	143	
522	Mary Anderson or Donnachie	Theft, and previous conviction	ditto ditto	8 Dec. "	-	5 April "	117	
523	David Syme	Theft, and previous conviction	ditto ditto	20 Oct. "	-	5 April "	166	
524	James Robertson	Theft, and previous conviction	ditto ditto	29 Oct. "	-	5 April "	157	
525	Margaret Neilson	Theft, habit, repute, and previous conviction	ditto ditto	21 Feb. 1867	-	5 April "	42	
526	Heleen Kenny	Theft, and previous conviction, and robbery	ditto ditto	1 Nov. 1866	-	5 April "	154	
527	Margaret O'Neill	Theft, as also robbery	ditto ditto	1 Nov. "	-	5 April "	154	
528	Patrick Murty	Theft, as also robbery	ditto ditto	1 Nov. "	-	5 April "	54	
529	David Graham	Robbery or theft, and previous conviction	ditto ditto	9 Feb. 1867	-	5 April "	110	
530	Thomas Douglas	Robbery or theft, habit, repute, and previous conviction	ditto ditto	15 Dec. 1866	-	5 April "	84	
531	James Cameron	Culpable homicide	ditto ditto	10 Jan. 1867	-	5 April "	85	
532	Hannah McAtamney or Henry	Wilfully setting fire to stock-in-trade with intent to defraud insurance company.	ditto ditto	9 Feb. "	-	6 April "	11	
533	John McAtamney	Wilfully setting fire to stock-in-trade with intent to defraud insurance company.	ditto ditto	9 Feb. "	20 Feb. 1867	6 April "	11	
534	William Robertson	Theft, habit, repute, and previous conviction	Circuit Court, Aberdeen	8 Sept. 1866	-	12 April "	215	
535	Alexander Elrick	Theft, and previous conviction	ditto ditto	20 Feb. 1867	-	12 April "	50	
536	Robert Young	Theft, habit, repute, and previous conviction	ditto ditto	14 Nov. 1866	-	12 April "	148	
537	Ann Gillies	Child murder, or concealment	Circuit Court, Inverness	5 Feb. 1867	-	15 April "	68	
538	Charles Russell	Theft, and previous conviction	ditto ditto	16 Nov. 1866	-	15 April "	149	
539	James McGuire	Theft	ditto ditto	16 Nov. "	-	15 April "	149	
540	Matthew Roxburgh	Convicted 9 Geo. 4, c. 68, ss. 2 and 9 (night poaching)	Circuit Court, Ayr	2 Oct. "	10 Oct. 1866	9 April "	8	
541	Robert Park	Convicted 9 Geo. 4, c. 68, ss. 2 and 9 (night poaching)	ditto ditto	17 Dec. "	-	9 April "	112	
542	Margaret Muir or Crawford	Convicted 10 Geo. 4, c. 38, s. 3, or assault by throwing acid	ditto ditto	9 Mar. 1867	-	9 April "	30	
543	William Davies	Robbery or theft	ditto ditto	19 Sept. 1866	-	9 April "	201	
544	Henry Davies	Robbery or theft	ditto ditto	19 Sept. "	-	9 April "	201	
545	Thomas Finlay	Robbery or theft	ditto ditto	19 Sept. "	-	9 April "	201	
546	Thomas Bannerman	Robbery or theft	ditto ditto	19 Sept. "	-	9 April "	201	
547	Margaret McLean	Theft, and previous conviction	ditto ditto	22 Jan. 1867	-	9 April "	76	
548	Jane McBlain	Theft, and previous conviction	ditto ditto	12 Dec. 1866	-	9 April "	117	
549	Ann McLean or Dadds	Theft, and previous conviction	ditto ditto	10 Oct. "	-	9 April "	180	
550	James Davidson	Convicted 1 Vict. c. 36, ss. 25, 26, 32 (post office), &c.	Circuit Court, Dumfries	8 Mar. 1867	-	12 April "	34	
551	Jane Bell	Concealment of pregnancy	ditto ditto	22 Feb. "	-	12 April "	48	
552	Archibald McKinnon	Robbery	ditto ditto	1 Feb. "	-	12 April "	69	
553	William Taylor	Robbery	ditto ditto	1 Feb. "	-	12 April "	69	
554	Mary Milligan or Mongan	Theft, and previous conviction	ditto ditto	18 Sept. 1866	-	12 April "	205	
555	Francis Irving or Ward	Theft, and previous conviction	ditto ditto	8 Oct. "	-	12 April "	185	
556	Anthony McMillan	Assault by stabbing, &c.	ditto ditto	19 Oct. "	-	12 April "	173	

NUMBER of Persons Committed to Prison in Scotland during the Years 1866 and 1867, in order to Trial before the Court of Justiciary, &c.—*continued.*

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
614	Andrew Brown Gray	Theft by housebreaking, and previous conviction	Circuit Court, Glasgow	16 July 1867	-	5 Oct. 1867	Days.	
615	Mary Reid or Gray	Theft, or reset of theft	ditto	16 July	-	5 Oct. "	80	
616	Christina Minnoch or Mounach	Theft by housebreaking, or reset	ditto	16 July	-	5 Oct. "	80	
617	Catherine M'Lachlan or Campbell.	Theft, and previous conviction	ditto	26 Aug.	-	5 Oct. "	39	
618	Joseph Evans	Reset of theft	ditto	26 Aug.	-	5 Oct. "	39	
619	John Brown	Assault and robbery	ditto	6 Aug.	-	5 Oct. "	59	
620	William Welsh	Assault and robbery	ditto	6 Aug.	-	5 Oct. "	59	
621	Thomas May	Robbery or theft, and previous conviction	ditto	23 Aug.	-	5 Oct. "	42	
622	Jane Joy	Robbery or theft, or reset	ditto	23 Aug.	-	5 Oct. "	42	
623	Elizabeth Allan	Robbery or theft, or reset	ditto	23 Aug.	-	5 Oct. "	42	
624	Francis Emanuel Cook	Assault on high seas	ditto	31 Aug.	-	5 Oct. "	42	
625	Matthew McCarter	Theft by housebreaking, habit, repute, and previous conviction	ditto	13 Aug.	31 Aug. 1867	5 Oct. "	53	
626	Clement Tchern or Clement Tasco.	Murder	ditto	14 May	-	7 Oct. "	145	
627	Allan McKinnon	Theft, and previous conviction	ditto	13 May	-	7 Oct. "	146	
628	William Kent	Theft, and previous conviction	ditto	31 May	-	7 Oct. "	128	
629	Mary McFarlane or Docherty	Theft by housebreaking, and previous conviction	ditto	31 May	-	7 Oct. "	128	
630	Margaret Young	Theft	ditto	13 Aug.	-	7 Oct. "	53	
631	James Watson	Assault and robbery	ditto	15 July	-	7 Oct. "	83	
632	James McDougall	Theft and previous conviction	ditto	31 Aug.	-	7 Oct. "	36	
633	Thomas Bailey	Assault and robbery	ditto	4 Sept.	-	7 Oct. "	32	
634	William Downie	Cattle stealing	ditto	2 Sept.	-	7 Oct. "	34	
635	Thomas Boyle	Theft, and previous conviction	Circuit Court, Stirling	27 Aug.	-	23 Sept.	26	
636	Robert Montgomery, junior	Theft by housebreaking, and previous conviction	ditto	4 May	-	23 Sept.	141	
637	Margaret Dich or Montgomery	Reset of theft	ditto	4 May	-	23 Sept.	141	
638	William Hutton	Theft by housebreaking, and previous conviction	ditto	28 June	-	23 Sept.	86	
639	James Cook	Murder	ditto	22 May	-	23 Sept.	123	
640	John Clark	Culpable homicide	ditto	24 April	24 April 1867	23 Sept.	-	
641	James Edwards	Theft, habit, repute, and previous conviction	ditto	15 May	-	24 Sept.	131	
642	Thomas Heaps	Culpable homicide	ditto	29 Mar.	29 Mar. 1867	24 Sept.	-	
643	Dennis Murray	Theft, habit, repute, and previous conviction	Circuit Court, Inverary	26 Aug.	-	26 Sept.	30	
644	John Seaton or Septon	Theft, and previous conviction	ditto	26 Aug.	-	26 Sept.	30	
645	Peter Blake or Black	Convicted 24 & 25 Viet. c. 99, ss. 9 and 10 (base coin)	ditto	22 July	-	26 Sept.	65	
646	Peter Hughes	Convicted 24 & 25 Viet. c. 92, ss. 9 and 10 (base coin)	ditto	22 July	-	26 Sept.	65	
647	Jane Ann Robertson or Graham.	Theft, and previous conviction	Circuit Court, Perth	29 July	-	16 Sept.	48	
648	Thomas Bowden	Wilful fire raising, &c.	ditto	26 Feb.	24 April 1867	16 Sept.	56	
649	James Bellfield	Assault and robbery	ditto	11 April	-	16 Sept.	157	
650	David Millar	Assault and robbery	ditto	11 April	-	16 Sept.	157	
651	Grace Ferguson	Child murder, or concealment	ditto	29 Mar.	-	16 Sept.	170	
652	John M'Rae	Fraud	ditto	9 Aug.	17 Aug. 1867	17 Sept.	8	
653	Joseph Dixon	Theft	ditto	29 July	-	17 Sept.	49	
654	George Riddel	Theft	ditto	29 July	-	17 Sept.	49	
655	Samuel Robb	Theft	ditto	29 July	-	17 Sept.	49	
656	John Morris	Reset of theft	ditto	22 Aug.	-	17 Sept.	25	
657	John Smith	Reset of theft	ditto	22 Aug.	-	17 Sept.	25	
658	Alexander McDougall	Theft, and previous conviction	ditto	19 Aug.	24 Aug. 1867	17 Sept.	28	

NUMBER OF PERSONS COMMITTED TO PRISON IN SCOTLAND DURING THE YEARS 1866 AND 1867, IN ORDER TO TRIAL BEFORE THE COURT OF JUSTICIARY, &c.—continued.

No.	NAME OF ACCUSED.	Crime for which Tried.	Before what Court Tried.	Date of Committal, with (where Bailed) Date of Liberation on Bail.		Date of Trial.	Time Confined in Prison previous to Trial.	REMARKS.
				Committal.	Bail.			
715	Charles Malloy	Theft, habit, repute, and previous conviction -	Circuit Court, Glasgow	7 Sept. 1867	-	26 Dec. 1867	Days.	
716	James Christie	Theft, habit, repute, and previous conviction -	ditto - ditto	9 Sept. "	-	26 Dec. "	109	
717	Thomas Gilmour	Theft, habit, repute, and previous conviction -	ditto - ditto	23 Sept. "	-	26 Dec. "	107	
718	Margaret Weir	Theft, habit, repute, and previous conviction -	ditto - ditto	1 Nov. "	-	26 Dec. "	98	
719	Alexander Shephard	Theft by housebreaking, and previous conviction -	ditto - ditto	10 Oct. "	-	26 Dec. "	54	
720	Catherine O'Brien	Theft by housebreaking, and previous conviction -	ditto - ditto	10 Oct. "	-	26 Dec. "	76	
721	Elizabeth Miller	Theft by housebreaking, and previous conviction -	ditto - ditto	19 Sept. "	-	26 Dec. "	76	
722	David McGaden	Theft by housebreaking, and previous conviction -	ditto - ditto	11 Oct. "	-	26 Dec. "	97	
723	William Russell	Theft by housebreaking, and previous conviction -	ditto - ditto	8 Oct. "	-	26 Dec. "	75	
724	Peter Barnaglin	Assault with intent to rob -	ditto - ditto	9 Oct. "	-	26 Dec. "	78	
725	Sarah Thornton	Assault with intent to rob -	ditto - ditto	9 Oct. "	-	26 Dec. "	77	
726	Margaret Holmes	Assault and robbery -	ditto - ditto	8 Oct. "	-	26 Dec. "	77	
727	Ann Thomson	Assault and robbery -	ditto - ditto	8 Oct. "	-	26 Dec. "	78	
728	Jane Henderson	Assault and robbery -	ditto - ditto	8 Oct. "	-	26 Dec. "	78	
729	John Daily	Assault and robbery -	ditto - ditto	5 Nov. "	-	26 Dec. "	78	
730	Henry Curley	Assault and robbery -	ditto - ditto	12 Oct. "	-	26 Dec. "	50	
731	Charles Dalton	Convicted 24 & 25 Vict. c. 99, s. 24 (base coin)	ditto - ditto	22 Oct. "	-	26 Dec. "	74	
732	Rose Ann Shearer	Murder -	ditto - ditto	27 May "	-	26 Dec. "	64	
733	Eliza Gilchrist or Brown	Theft by opening lockfast places, and previous conviction -	ditto - ditto	8 Nov. "	-	26 Dec. "	212	
734	James McKenzie	Rape -	ditto - ditto	18 Nov. "	-	26 Dec. "	48	
735	David Gounlay	Convicted 24 & 25 Vict. c. 99, ss. 9, 10, 11	ditto - ditto	7 Oct. "	-	27 Dec. "	38	
736	Alexander Sweeney	Theft by housebreaking, and previous conviction -	ditto - ditto	21 Oct. "	-	27 Dec. "	80	
737	James Keefe	Murder -	ditto - ditto	4 Sept. "	-	27 Dec. "	52	
738	Thomas Mahor or Dooley	Reset of theft -	ditto - ditto	4 Sept. "	-	27 Dec. "	66	
739	Charles Donaghy	Theft, and previous conviction -	ditto - ditto	4 Nov. "	-	27 Dec. "	113	
740	Hugh Stewart	Theft, and previous conviction -	ditto - ditto	4 Nov. "	-	27 Dec. "	113	
741	James Mackie	Theft, and previous conviction -	ditto - ditto	15 Oct. "	-	27 Dec. "	52	
742	Agnes Campbell	Theft, habit, repute, and previous conviction -	ditto - ditto	28 Oct. "	-	27 Dec. "	82	
743	Robert Barclay	Theft by housebreaking, habit, repute, and previous conviction -	ditto - ditto	14 Sept. "	-	27 Dec. "	72	
744	John Harris	Breach of trust and embezzlement, or theft -	ditto - ditto	4 Oct. "	-	27 Dec. "	59	
745	Peter Devine	Theft, and previous conviction -	ditto - ditto	4 Dec. "	-	27 Dec. "	103	
746	Alexander Ramsay	Robbery or theft, and previous conviction -	ditto - ditto	7 Nov. "	-	27 Dec. "	83	
747	William Anderson	Robbery or theft, and previous conviction -	ditto - ditto	2 Dec. "	-	27 Dec. "	23	
748	Henry O'Brien	Robbery or theft, and previous conviction -	ditto - ditto	25 Nov. "	-	27 Dec. "	49	
749	Mary Anderson or Gallagher	Robbery or theft, and previous conviction -	ditto - ditto	25 Nov. "	-	27 Dec. "	31	
750	William Fitzpatrick	Theft, and previous conviction, or breach of trust -	ditto - ditto	25 Nov. "	-	27 Dec. "	31	
751	William Thornton	Robbery, and previous conviction, or theft, habit, repute, and previous conviction -	ditto - ditto	14 Sept. "	-	27 Dec. "	103	
752	Peter McKenna	Robbery, or assault to rob -	ditto - ditto	13 Sept. "	-	28 Dec. "	88	
753	David Russell	Robbery or assault to rob -	ditto - ditto	13 Sept. "	-	28 Dec. "	105	
754	Mary Walker or Devlin	Robbery or assault to rob -	ditto - ditto	13 Sept. "	-	28 Dec. "	105	
755	Mary Murray	Robbery or assault to rob -	ditto - ditto	19 Oct. "	-	28 Dec. "	48	
756	Daniel McKay	Reset, and previous conviction -	ditto - ditto	4 Nov. "	-	28 Dec. "	69	
757	George Paterson	Robbery or theft, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	53	
758	Robert Walker	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
759	Duncan Balfour	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
760	John Ramsay	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
761	Thomas McGuin	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
762	James Clare	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
763	William Wilson	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	
764	Alfred William Buchanan	Theft by housebreaking, and previous conviction -	ditto - ditto	18 Oct. "	-	28 Dec. "	70	

COMMITTEES (SCOTLAND.)

RETURN of the NUMBER of PERSONS COMMITTED to PRISON in *Scotland*, during the Years 1866 and 1867, in order to TRIAL before the COURT of JUSTICIARY; stating the Time each Person so Committed was Confined in Prison previous to Trial, and the Crime for which such Person was Tried.

(*Sir Robert Anstruther.*)

Ordered, by The House of Commons, to be Printed,
18 May 1868.

CRIMINAL OFFENDERS (SCOTLAND).

A B S T R A C T

OF

TABLES of CRIMINAL OFFENDERS for the Year 1867, reported by Her Majesty's Advocate for *Scotland*, in Terms of the Statute 1 Gul. 4, c. 37; with Alterations and Additions, ordered and required by one of Her Majesty's Principal Secretaries of State, in virtue of the Powers therein contained.

(Presented pursuant to Act of Parliament.)

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TABLE,

Comparing the CLASSIFICATION of OFFENCES in the CRIMINAL TABLES now in Use to be presented to Parliament for England, with the CLASSIFICATION of OFFENCES in the ANNEXED TABLES for Scotland.

CLASSIFICATION OF OFFENCES IN ENGLISH TABLES.	CLASSIFICATION OF OFFENCES IN ANNEXED TABLES FOR SCOTLAND.
No. 1.—Offences against the Person. 1. Murder; <i>see</i> 77. 2. Shooting at, stabbing, administering poison, &c. with intent to murder, maim, &c.; <i>see</i> 78. 3. Manslaughter; <i>see</i> 79. 4. Attempt to procure the miscarriage of women quick with child; <i>see</i> 80. 5. Ditto of women not quick with child; <i>see</i> 81. 6. Concealing the births of infants; <i>see</i> 82. 7. Sodomy; <i>see</i> 83. 8. — Assaults, with intent to commit, and other unnatural misdemeanors; <i>see</i> 84. 9. Rape, and carnally abusing girls under the age of 10 years; <i>see</i> 85. 10. Assaults, with intent to ravish and carnally abuse; <i>see</i> 86. 11. Carnally abusing girls between the age of 10 and 12 years; <i>see</i> 85. 12. Abduction; <i>see</i> 87. 13. Bigamy; <i>see</i> 88. 14. Child stealing; <i>see</i> 89. 15. Assaults; <i>see</i> 90. 16. — on peace officers in the execution of their duty; <i>see</i> 91.	No. 1.—Offences against the Person. 77. Murder; <i>corresponding with</i> 1. 78. Shooting at, stabbing, administering poison, &c. with intent to murder, maim, &c. (under statute); <i>corresponding with</i> 2. 79. Culpable homicide; <i>corresponding with</i> 3. 80. Procuring, and attempts to procure, the miscarriage of women quick with child; <i>corresponding with</i> 4. 81. Ditto of women not quick with child; <i>corresponding with</i> 5. 82. Concealment of pregnancy; <i>corresponding with</i> 6. 83. Sodomy and bestiality; <i>corresponding with</i> 7. 84. — Assaults, with intent to commit, and other unnatural minor offences; <i>corresponding with</i> 8. 85. Rape; <i>including</i> 9 and 11. 86. Assaults, with intent to ravish; <i>corresponding with</i> 10. 87. Abduction; <i>corresponding with</i> 12. 88. Bigamy; <i>corresponding with</i> 13. 89. Child stealing; <i>corresponding with</i> 14. 90. Assaults; <i>corresponding with</i> 15. 91. — on peace officers in the execution of their duty; <i>corresponding with</i> 16.
No. 2.—Offences against Property, committed with Violence. 17. Sacrilege; <i>see</i> 92. 18. Burglary; <i>see</i> 93, 95, and 96. 19. Housebreaking; <i>see</i> 93. 20. Breaking within the curtilage of dwelling-houses, and stealing; <i>see</i> 93. 21. — into shops, warehouses, and counting-houses, and stealing; <i>see</i> 93. 22. Misdemeanors, with intent to commit the above offences; <i>see</i> 97. 23. Robbery; <i>see</i> 98. 24. Assaults, with intent to rob, and demanding property with menaces; <i>see</i> 99. 25. Stealing in dwelling-houses, persons therein being put in fear; <i>see</i> 100. 26. Sending menacing letters to extort money; <i>see</i> 101.	No. 2.—Offences against Property, committed with Violence. 92. Sacrilege; <i>corresponding with</i> 17. 93. Theft by housebreaking; <i>including</i> 19, 20, and 21; and partly along with 95 and 96, <i>including</i> 18. 94. — by opening lockfast places; <i>additional, but partly included in</i> 33. 95. Housebreaking, with intent to steal; partly along with 93 and 96, <i>including</i> 18. 96. Violent invasion of houses, with intent to commit other high crimes than theft; partly along with 93 and 95, <i>including</i> 18. 97. Minor crimes, with intent to commit the above offences; <i>corresponding with</i> 22. 98. Robbery; <i>corresponding with</i> 23. 99. Assaults, with intent to rob, and demanding property with menaces; <i>corresponding with</i> 24. 100. Stouthrief (open, lawless, masterful depredation); <i>occasionally including</i> 25. 101. Sending menacing letters to extort money; <i>corresponding with</i> 26.
No. 3.—Offences against Property, committed without Violence. 27. Cattle stealing; <i>see</i> 102. 28. Horse stealing; <i>see</i> 103. 29. Sheep stealing; <i>see</i> 104. 30. Larceny, to the value of £.5 in dwelling-houses; <i>see</i> 105. 31. Larceny, from the person; <i>see</i> 105. 32. Larceny, by servants; <i>see</i> 105. 33. Larceny, simple; <i>see</i> 105. 34. Stealing from vessels in port, on a river, &c.; <i>see</i> 105. 35. Stealing goods in process of manufacture; <i>see</i> 106. 36. Stealing fixtures, trees, and shrubs growing, &c.; <i>see</i> 105. 37. Misdemeanors, with intent to steal; <i>see</i> 107. 38. Embezzlement; <i>see</i> 108. 39. Stealing letters from the Post Office by servants; <i>see</i> 109. 40. Receiving stolen goods; <i>see</i> 110. 41. Frauds, and attempts to defraud; <i>see</i> 111.	No. 3.—Offences against Property, committed without Violence. 102. Cattle stealing; <i>corresponding with</i> 27. 103. Horse stealing; <i>corresponding with</i> 28. 104. Sheep stealing; <i>corresponding with</i> 29. 105. Thefts, simple, or not falling under any of the previous or subsequent denominations; <i>including</i> 30, 31, 32, 33, 34, and 36. 106. Stealing goods in process of manufacture; <i>corresponding with</i> 35. 107. Minor crimes, with intent to steal; <i>corresponding with</i> 37. 108. Embezzlement; <i>corresponding with</i> 38. 109. Stealing, &c. letters, &c. from Post Office by servants; <i>including</i> 39. 110. Reset of theft; <i>corresponding with</i> 40. 111. Frauds and attempts to defraud; <i>corresponding with</i> 41.
No. 4.—Malicious Offences against Property. 42. Arson (capital); <i>see</i> 112. 43. Setting fire to crops, plantations, heath, &c.; <i>see</i> 113. 44. Attempts to commit arson, set fire to crops, &c.; <i>see</i> 114. 45. Riot, and feloniously demolishing buildings, machinery, &c.; <i>see</i> 115. 46. Destroying silk, woollen, linen, or cotton goods in process of manufacture; <i>see</i> 116. 47. Destroying threshing machines; <i>see</i> 117. 48. Destroying hop-binds, trees, and shrubs growing, &c.; <i>see</i> 118. 49. Killing and maiming cattle; <i>see</i> 119. 50. Sending letters threatening to burn houses, &c.; <i>see</i> 120. 51. Other malicious offences; <i>see</i> 121.	No. 4.—Malicious Offences against Property. 112. Fire-raising (capital unless restricted); <i>corresponding with</i> 42. 113. Setting fire to heaths, fuzze, and other subjects where not capital; <i>analogous to</i> 43. 114. Attempts to commit arson, set fire to heaths, &c.; <i>corresponding with</i> 44. 115. Rioters feloniously demolishing buildings, machinery, &c.; <i>corresponding with</i> 45. 116. Destroying silk, woollen, linen, or cotton goods, in process of manufacture; <i>corresponding with</i> 46. 117. Destroying threshing-machines; <i>corresponding with</i> 47. 118. Destroying trees and shrubs growing, &c.; <i>corresponding with</i> 48. 119. Killing and maiming cattle; <i>corresponding with</i> 49. 120. Sending letters threatening to burn houses, &c.; <i>corresponding with</i> 50. 121. Other malicious offences; <i>corresponding with</i> 51.
No. 5.—Forgery and Offences against the Currency. 52. Forgery and uttering forged wills and powers of attorney for the transfer of stock or receipt of dividends; <i>see</i> 122. 53. — forged Bank of England notes; <i>see</i> 123. 54. — other forged instruments; <i>see</i> 124. 55. Having in possession, &c. forged Bank of England notes; <i>see</i> 125. 56. Counterfeiting the current gold and silver coin; <i>see</i> 126. 57. Having in possession, &c. implements for coining; <i>see</i> 127. 58. Buying and putting off counterfeit gold and silver coin; <i>see</i> 128. 59. Uttering and having in possession ditto; <i>see</i> 129. 60. Counterfeiting, buying, putting off, and uttering counterfeit copper coin; <i>see</i> 130.	No. 5.—Forgery and Offences against the Currency. 122. Forgery and uttering forged wills and powers of attorney for the transfer of stock or receipt of dividends; <i>corresponding with</i> 52. 123. — forged Bank of England notes; <i>corresponding with</i> 53. 124. — other forged instruments; <i>corresponding with</i> 54. 125. Having in possession, &c. forged Bank of England notes; <i>corresponding with</i> 55. 126. Counterfeiting the current gold and silver coin; <i>corresponding with</i> 56. 127. Having in possession, &c. implements for coining; <i>corresponding with</i> 57. 128. Buying and putting off counterfeit gold and silver coin; <i>corresponding with</i> 58. 129. Uttering and having in possession ditto; <i>corresponding with</i> 59. 130. Counterfeiting, buying, putting off, and uttering counterfeit copper coin; <i>corresponding with</i> 60.
No. 6.—Other Offences not included in the above Classes. 61. Assembling armed, and to aid smugglers; <i>see</i> 131. 62. Assaulting and obstructing officers employed to prevent smuggling; <i>see</i> 132. 63. Deer stealing, and feloniously resisting deerkeepers; <i>see</i> 132. 64. Being out armed, &c. to take game by night, taking game by night, and assaulting gamekeepers; <i>see</i> 134. 65. Taking and destroying fish in enclosed water; <i>see</i> 135. 66. Being at large under sentence of transportation; <i>see</i> 136. 67. Prison-breaking, harbouring, and aiding the escape of felons; <i>see</i> 137. 68. Perjury, and subornation of perjury; <i>see</i> 138. 69. Administering unlawful oaths; <i>see</i> 139. 70. Conspiracy to raise the rate of wages; <i>see</i> 140. 71. Riot, breach of the peace, and pound-breach; <i>see</i> 141. 72. Rescue, and refusing to aid peace officers; <i>see</i> 142. 73. Keeping disorderly houses; <i>see</i> 143. 74. Indecently exposing the person; <i>see</i> 144. 75. Felonies, not included in the above denominations; <i>see</i> 146. 76. Misdemeanors, ditto; <i>see</i> 147.	No. 6.—Other Offences not included in the above Classes. 131. Assembling armed, and to aid smugglers; <i>corresponding with</i> 61. 132. Assaulting and obstructing officers employed to prevent smuggling; <i>corresponding with</i> 62. 133. Deer-stealing, and feloniously resisting deerkeepers; <i>corresponding with</i> 63. 134. Being out armed, &c. to take game by night, taking game by night, and assaulting gamekeepers; <i>corresponding with</i> 64. 135. Taking and destroying fish in enclosed water; <i>corresponding with</i> 65. 136. Being at large under sentence of transportation; <i>corresponding with</i> 66. 137. Prison-breaking, harbouring, and aiding the escape of felons; <i>corresponding with</i> 67. 138. Perjury and subornation of perjury; <i>corresponding with</i> 68. 139. Administering unlawful oaths; <i>corresponding with</i> 69. 140. Conspiracy to raise the rate of wages; <i>corresponding with</i> 70. 141. Riot, breach of the peace, and breach of poundings; <i>corresponding with</i> 71. 142. Deforcement, and refusing to aid peace-officers; <i>corresponding with</i> 72. 143. Keeping disorderly houses; <i>corresponding with</i> 73. 144. Indecently exposing the person; <i>corresponding with</i> 74. 145. Hamesucken (the felonious seeking and invasion of a person in his dwelling-place); <i>additional</i>. 146. High crimes not included in the above denominations; <i>analogous to</i> 75. 147. Minor offences - - - ditto - - - ditto; <i>analogous to</i> 76.

ABSTRACT OF TABLES.

The number of persons charged with offences in Scotland in 1867 (3,305) exhibits an increase as compared with 1866 (3,003) of 302, or 10·056 per cent. The following counties show an increase, viz. :—

COUNTIES.	1866.	1867.	INCREASE.	COUNTIES.	1866.	1867.	INCREASE.
Argyle - - - -	115	151	36	Linlithgow - - -	108	118	10
Clackmannan - - -	16	19	3	Nairn - - - -	10	22	12
Dumbarton - - -	81	107	26	Orkney and Zetland -	2	40	38
Edinburgh - - -	381	401	20	Peebles - - - -	4	8	4
Fife - - - -	117	120	3	Perth - - - -	74	93	19
Forfar - - - -	196	276	80	Selkirk - - - -	8	20	12
Haddington - - -	18	42	24	Stirling - - - -	68	70	2
Inverness - - -	136	149	13	Sutherland - - -	16	20	4
Kincardine - - -	22	25	3	Wigton - - - -	62	69	7
Lanark - - - -	747	819	72				
					2,181	2,569	388

TOTAL Increase in these Counties of 388, or 17·790 per cent.

The following are the counties which exhibit a decrease, viz. :—

COUNTIES.	1866.	1867.	DECREASE.	COUNTIES.	1866.	1867.	DECREASE.
Aberdeen - - - -	76	68	8	Elgin and Moray - -	49	42	7
Ayr - - - -	93	90	3	Kinross - - - -	4	4	—
Banff - - - -	21	21	—	Kirkcudbright - -	11	10	1
Berwick - - - -	48	44	4	Renfrew - - - -	183	169	14
Bute - - - -	75	64	11	Ross and Cromarty -	72	45	27
Caithness - - -	40	31	9	Roxburgh - - - -	124	122	2
Dumfries - - - -	26	26	—				
					TOTAL Decrease - -		86

The following Table exhibits the Total Number of Criminal Offenders in Scotland for the years 1866 and 1867, distinguishing Males from Females, the Number brought to Trial, the Number Convicted under the aggravation of previous Conviction, and the Number sentenced to Death.

PERIOD.	Committed for Trial or Bailed.			Tried.	Total Convicted, Outlawed, or found Insane.	Convicted under Aggravation of previous Convictions.	Sentenced to Death.	Executed.
	Males.	Females.	TOTAL.					
1866 - - - -	2,202	801	3,003	2,557	2,309	720	2	2
1867 - - - -	2,497	808	3,305	2,811	2,534	775	1	—

The proportion of convictions to committals in 1866 was 76·889 per cent.; in 1867 it was 76·671 per cent. The proportion of acquittals to committals in 1866 was 23·110 per cent.; in 1867 it was 23·328 per cent. As a considerable number of accused persons who have been committed for trial are afterwards discharged without trial, by order of the Lord Advocate or his Deputies, and from other causes, it seems to be more correct to state the proportion of convictions to trials, and of acquittals to trials; also the proportion of trials to committals, and of discharges without trial to committals. Accordingly :—

For 1866.				For 1867.			
Proportion of Convictions to Trials	-	-	90·301	Proportion of Convictions to Trials	-	-	90·146
Ditto of Acquittals to Trials	-	-	9·699	Ditto of Acquittals to Trials	-	-	9·854
Proportion of Trials to Committals	-	-	85·148	Proportion of Trials to Committals	-	-	85·053
Ditto of Discharges without Trial to Committals	-	-	14·852	Ditto of Discharges without Trial to Committals	-	-	14·947

The subjoined Table exhibits the Classes of Offences and the Number of Offenders in each Class :—

OFFENCES.	1866.	1867.
Offences against the person - - - -	884	864
Offences against property committed with violence - - - -	336	445
Offences against property committed without violence - - - -	1,443	1,633
Malicious offences against property - - - -	62	49
Forgery and offences against currency - - - -	50	83
Other offences not included in the above classes - - - -	228	231

In this Table it will be seen that offences against the person have decreased 2·262 per cent., and malicious offences against property 20·967 per cent. But offences against property committed with violence have increased 32·440 per cent.; offences against property committed without violence 13·167 per cent.; forgery and offences against the currency, 66 per cent.; and other offences not included in the above, 1·316 per cent.

The following Table shows the Number of Male and Female Offenders of all Ages who could neither Read nor Write, who could Read and Write imperfectly, who could Read and Write well, as also those who had received a Superior Education :—

PERIOD.	Could neither Read nor Write.		Could Read and Write imperfectly.		Could Read and Write well.		Had a Superior Education.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
1866 - - - -	462	230	1,253	484	403	84	74	1
1867 - - - -	449	265	1,528	466	411	64	87	7

The number of those committed in 1866 who could neither read nor write was 692; in 1867, 714; there is thus an increase of 22, or 3·179 per cent. The number of those committed in 1866 who could read and write imperfectly, was 1,737; in 1867, 1,994; there is thus an increase of 257, or 14·795 per cent. The number of those committed in 1866 who could read and write well, was 487; in 1867, 475; there is thus a decrease of 12, or 2·464 per cent. The number of those committed in 1866 who had a superior education was 75; in 1867, 94; there is thus an increase of 19, or 25·333 per cent.

The results of the proceedings in the Commitments made this year are—

1. Discharged without trial - By Lord Advocate and his Deputes	-	-	359	
From other causes	-	-	135	
Discharged without Trial	-	-	-	494
2. Acquitted - - - - Not guilty	-	-	53	
Not proven	-	-	224	
Acquitted on Trial	-	-	-	277
3. Insane - - - - Found Insane on Arraignment	-	-	3	
" on Trial	-	-	3	
Found Insane	-	-	-	6
4. Found Guilty - - - Sentenced to Death	-	-	1	
" Penal Servitude	-	-	199	
" Imprisonment	-	-	2,069	
" Detained in Reformatory	-	-	36	
" Whipped, Fined, and Discharged	-	-	-	
on sureties	-	-	170	
" No Sentence	-	-	35	
Found Guilty	-	-	-	2,510
Outlawed	-	-	-	18
TOTAL Committed	-	-	-	3,305

The Sentences passed in 1867 are given in greater detail in the following Tables, and are compared with those in the nine preceding years :—

	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.
Death - - - - -	-	-	4	4	2	1	2	3	2	1
Penal Servitude:										
For Life - - - - -	4	1	1	4	2	2	1	2	-	-
Above Fifteen Years - - - -	13	2	2	3	-	2	3	1	2	4
Fifteen Years and above Ten - - -	10	9	10	8	3	6	6	6	6	9
Ten Years and above Six - - - -	59	59	63	57	56	48	78	134	153	157
Six Years and above Four - - - -	53	37	28	40	45	54	49	36	23	29
Four Years - - - - -	123	83	92	97	72	76	45	-	-	-
Three Years - - - - -	27	22	21	19	46	29	15	-	-	-
Imprisonment:										
Above Three Years - - - - -	-	-	-	-	-	-	-	-	-	-
Under Three Years and above Two - -	-	-	-	-	-	-	-	-	1	1
" Two Years and above One - - -	111	132	70	118	104	140	106	111	149	149
" One Year and above Six Months - -	259	318	294	301	286	306	295	308	324	352
Six Months and above Three - - -	440	423	415	401	427	431	373	378	327	455
Three Months and above One - - -	672	570	519	513	588	514	517	517	532	528
One Month and under - - - - -	704	661	637	666	778	553	658	570	516	584
Detained in Reformatory School - -	6	5	48	54	51	25	29	19	37	36
Whipped, fined, and discharged on sureties - - - - -	348	217	187	102	206	219	172	216	189	170

The Offenders tried in 1867 were tried by the following Courts :—

High Court of Justiciary	-	-	-	-	-	-	-	78
Circuit Court	-	-	-	-	-	-	-	304
Sheriff:—								
With a Jury	-	-	-	-	-	-	-	1,256
Without a Jury	-	-	-	-	-	-	-	1,143
Burgh Magistrates	-	-	-	-	-	-	-	28
Justices or other Courts	-	-	-	-	-	-	-	2
								2,811

No. 4. Malignant Offences against Property.	Fire-raising (capital unless restricted)	15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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TABLE, showing the COURTS in which PERSONS COMMITTED for TRIAL, or BAILED, were TRIED, the Number of the CONVICTS previously CONVICTED of Similar Offences, and the Number CONVICTED of other Offences at the same Trial, distinguishing the Sex in these and other Particulars.

OFFENCES.	COURT BY WHICH TRIED.												Convicted, Outlawed, or Insane.		Convicted under the Aggravation of Previous Convictions.		Convicted of other Offences at the same Trial.		Other Offences of which Con- victed at same Trial.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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[illegible]

TABLE showing, in each COUNTY collectively, the AGE, SEX, and DEGREE OF INSTRUCTION of the Total Number of PERSONS COMMITTED FOR TRIAL or BAILED.

COUNTIES.	Total Number of Offenders.		Aged 12 Years and under.		Aged 16 Years and above 12.		Aged 21 Years and above 16.		Aged 30 Years and above 21.		Aged 40 Years and above 30.		Aged 50 Years and above 40.		Aged 60 Years and above 50.		Aged above 60 Years.		Age could not be ascertained.		Neither Read nor Write.		Read, or Read and Write imperfectly.		Read and Write well.		Superior Education.		Instruction could not be ascertained.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Aberdeen -	48	20	1	1	2	1	11	6	15	5	13	11	5	4	2	2	1	1	1	3	3	33	15	12	2	1	1	1	1	1
Argyll -	125	26	2	2	13	11	23	11	57	4	23	11	12	12	3	3	1	1	1	10	10	60	10	37	4	3	2	4	4	4
Ayr -	66	24	1	1	9	6	14	6	19	8	14	6	11	4	1	1	1	1	1	10	10	35	9	7	1	1	1	1	1	1
Banff -	9	12	2	2	1	6	3	1	1	2	3	1	1	1	1	1	1	1	2	2	8	10	1	1	1	1	1	1	1	1
Berwick -	37	7	1	1	6	2	9	2	16	1	9	2	4	3	2	2	1	1	1	3	3	30	7	6	1	1	1	1	1	1
Bute -	55	9	1	1	16	3	10	2	22	1	10	2	2	2	2	2	1	1	1	1	1	51	8	1	1	1	1	1	1	1
Caitness -	23	8	2	2	4	3	4	2	4	2	5	3	1	1	2	2	1	1	1	3	3	20	5	2	2	1	1	1	1	1
Clackmannan -	12	7	1	1	3	2	7	1	4	2	1	1	2	1	1	1	1	1	1	1	1	4	3	7	2	1	1	1	1	1
Dumbarton -	87	20	5	1	14	1	11	1	29	5	17	7	7	2	3	1	1	1	1	21	7	43	11	9	1	1	1	1	1	1
Dumfries -	21	5	1	1	3	1	7	1	6	2	7	1	3	1	1	1	1	1	1	2	2	9	3	9	1	1	1	1	1	1
Edinburgh -	297	104	4	4	39	3	64	22	91	45	48	12	31	16	14	4	6	2	1	83	57	197	44	17	3	7	1	1	1	1
Elgin and Moray -	36	6	1	1	16	1	8	2	8	2	8	1	2	1	1	1	1	1	1	2	2	17	2	11	2	7	1	1	1	1
Fife -	100	20	2	2	18	2	29	3	23	7	29	3	14	5	5	3	4	1	1	13	2	69	16	18	2	6	1	1	1	1
Forfar -	208	68	3	3	71	11	92	27	52	27	28	13	18	8	8	5	3	1	1	31	23	160	42	11	3	6	1	1	1	1
Haddington -	36	6	1	1	10	1	16	2	16	2	7	2	2	1	1	1	1	1	1	8	1	27	5	1	1	1	1	1	1	1
Inverness -	122	27	8	1	15	5	43	6	29	6	29	6	11	4	6	3	1	1	1	44	25	54	2	16	1	8	1	1	1	1
Kincardine -	21	4	1	1	4	2	10	1	1	1	2	1	3	1	1	1	1	1	1	3	1	10	2	7	1	1	1	1	1	1
Kirkcubright -	4	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	8	2	1	1	1	1	1	1	1
Lanark -	555	264	65	9	151	56	170	115	200	46	90	46	39	30	22	8	6	1	1	101	74	306	102	122	24	14	1	1	1	1
Linlithgow -	95	23	2	2	26	3	29	2	17	7	17	7	7	4	7	5	1	1	1	29	6	52	14	13	1	2	1	1	1	1
Nairn -	20	2	1	1	4	1	7	1	7	1	3	1	3	1	1	1	1	1	3	1	16	2	1	1	1	1	1	1	1	1
Orkney and Zetland -	34	6	1	1	6	2	18	1	1	1	5	2	1	1	2	1	1	1	1	1	19	5	13	1	2	1	1	1	1	1
Peebles -	8	1	1	1	1	1	3	1	1	1	4	1	1	1	1	1	1	1	1	1	2	2	5	2	1	6	1	1	1	1
Perth -	71	22	1	1	17	3	28	3	3	3	16	7	5	5	1	1	1	1	1	5	2	58	19	5	2	6	1	1	1	1
Renfrew -	114	55	5	5	32	9	37	10	27	19	27	19	10	12	2	5	1	1	1	15	12	68	36	23	6	8	1	1	1	1
Ross and Cromarty -	34	11	3	3	8	5	8	1	1	1	8	1	2	1	1	1	1	1	1	5	8	12	3	14	2	4	1	1	1	1
Roxburgh -	110	12	6	2	21	2	26	3	29	3	29	3	5	3	5	1	4	1	1	19	8	59	2	28	2	4	1	1	1	1
Selkirk -	17	3	2	2	5	2	2	2	2	2	2	2	3	1	2	1	1	1	1	3	2	6	1	8	1	1	1	1	1	1
Stirling -	57	13	1	1	13	1	19	5	10	5	10	5	6	1	3	1	1	1	1	7	2	45	11	4	4	1	1	1	1	1
Sutherland -	17	3	1	1	4	1	9	1	4	1	4	1	1	1	1	1	1	1	1	2	1	7	2	7	1	1	1	1	1	1
Wigton -	50	19	1	1	9	5	16	3	12	4	12	4	6	3	2	3	1	1	1	1	3	39	13	8	3	1	1	1	1	1
TOTAL -	2,497	808	54	32	578	144	792	270	483	171	483	171	219	114	101	56	42	13	1	449	265	1,527	466	411	64	88	7	22	6	6

No. 4. Malignant Offences against Malicious Property.	Fire-raising (capital unless restricted)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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Note.—Where a person has been convicted of more than one offence at the same trial, the entries in the above Table are filled up under the highest denomination only. Where not convicted, and more than one offence has been charged under the same proceedings, the entries are filled up according to the same rule.

TABLE showing, in each COUNTY collectively, the Total Number of PERSONS TRIED in each COURT, the Total Number of the CONVICTS previously CONVICTED of SIMILAR OFFENCES, and the Total Number CONVICTED of other OFFENCES at the same Trial, distinguishing the Sex in these and other Particulars.

COUNTIES.		COURT BY WHICH TRIED.																Convicted, Outlawed, or Insane.				Convicted under the Aggravation of Previous Convictions.				Convicted of other Offences at the same Trial.				Other Offences of which Convicted at same Trial.	
		Total Number of Persons Tried.		High Court of Justiciary.		Circuit Court of Justiciary.		Sheriff.				Burgh Magistrates.		Justices or other Court.																	
								With a Jury.		Without a Jury.																					
Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.		
Aberdeen	45	19	64	1	17	40	6	21	6	27	13	40	83	12	2	104	18	60	22	10	32	1	1	9	1	1	9	1	1		
Argyll	114	24	138	-	4	30	12	2	14	23	103	46	19	65	131	3	16	131	13	3	16	8	1	1	8	1	1	1	1		
Ayr	51	19	70	-	6	33	13	46	6	33	13	46	12	2	14	46	19	65	9	10	19	-	-	-	-	-	-	-	-		
Banff	9	10	19	-	1	2	4	6	5	11	6	6	5	11	19	9	10	19	-	-	-	-	-	-	-	-	-	-	-		
Berwick	30	7	37	-	-	16	4	20	14	3	17	26	6	32	8	4	32	8	1	9	-	-	-	-	-	-	-	-	-		
Bute	47	8	55	-	4	7	2	9	34	6	40	44	8	52	20	4	52	20	4	24	4	4	24	7	-	-	-	-	-		
Caitness	15	8	23	-	-	7	2	9	8	6	14	10	6	16	2	3	16	2	2	7	4	3	7	2	-	-	-	-	-		
Clackmannan	11	7	18	-	1	3	7	10	6	-	6	14	6	-	6	17	7	17	4	3	7	-	-	-	-	-	-	-	-		
Dumbarton	55	14	69	-	3	21	1	22	32	12	44	45	10	55	19	3	55	19	3	22	1	1	3	1	1	2	-	-	-		
Dumfries	15	5	20	-	4	5	1	6	6	1	7	13	5	18	2	1	13	5	2	2	1	1	3	-	-	-	-	-	-		
Edinburgh	238	83	321	51	63	139	50	189	48	21	69	123	83	306	59	36	306	59	36	95	5	5	95	2	-	-	-	-	-		
Elgin and Moray	27	4	31	-	-	8	1	9	19	3	22	9	19	3	22	4	30	9	1	2	1	1	3	-	-	-	-	-	-		
Fife	85	16	101	1	1	34	7	41	42	7	49	71	14	85	18	6	71	14	85	18	6	24	8	2	8	-	-	-	-		
Forfar	173	65	238	2	2	86	40	126	63	16	79	161	62	223	81	38	161	62	223	81	38	119	8	2	10	-	-	-	-	-	
Haddington	31	5	36	-	1	4	1	5	21	-	21	29	5	34	2	2	29	5	34	2	2	-	2	1	-	-	-	-	-		
Inverness	108	24	132	-	-	7	5	12	97	18	115	91	16	107	5	2	91	16	107	5	2	7	6	-	-	-	-	-	-	-	
Kincardine	21	2	23	-	-	9	2	11	4	-	4	17	2	19	5	1	17	2	19	5	1	6	-	-	-	-	-	-	-	-	
Kinross	4	-	4	-	-	2	2	4	1	-	1	3	-	3	-	-	3	-	3	-	-	-	-	-	-	-	-	-	-	-	
Kirkcubright	5	1	6	-	-	4	-	4	1	1	2	5	-	5	1	6	5	1	6	1	-	-	-	-	-	-	-	-	-	-	
Lanark	484	227	711	4	151	304	128	432	82	41	123	434	194	628	187	115	434	194	628	187	115	302	-	-	-	-	-	-	-	-	
Linlithgow	85	22	107	-	-	12	3	15	73	18	91	20	8	100	8	-	20	100	8	-	-	8	-	-	-	-	-	-	-	-	
Nairn	13	1	14	-	-	2	-	2	11	1	12	10	1	11	1	-	10	1	11	1	-	-	-	-	-	-	-	-	-	-	
Orkney and Zetland	33	5	38	-	-	6	-	6	27	5	32	30	5	35	-	-	30	5	35	-	-	-	-	-	-	-	-	-	-	-	
Peebles	4	-	4	-	-	2	-	2	2	-	2	4	-	4	-	-	4	-	4	-	-	-	-	-	-	-	-	-	-	-	
Perth	63	18	81	-	16	35	11	46	15	3	18	52	17	69	22	14	52	17	69	22	14	36	1	1	1	1	2	-	-	-	
Renfrew	100	48	148	-	27	59	30	89	22	10	32	94	44	138	-	-	94	44	138	-	-	-	-	-	-	-	-	-	-	-	
Ross and Cromarty	30	9	39	-	-	5	2	7	25	7	32	32	9	32	1	1	32	9	32	1	1	4	-	-	-	-	-	-	-	-	
Roxburgh	99	12	111	-	-	10	-	10	89	12	101	83	10	93	7	2	83	10	93	7	2	9	-	-	-	-	-	-	-	-	
Selkirk	14	3	17	-	-	3	-	3	11	3	14	13	3	16	3	-	13	3	16	3	-	3	-	-	-	-	-	-	-	-	
Stirling	52	11	63	-	7	28	5	33	18	4	22	22	51	61	17	7	22	51	61	17	7	24	-	-	-	-	-	-	-	-	
Sutherland	12	3	15	-	1	2	-	2	9	3	12	10	3	13	-	-	10	3	13	-	-	-	-	-	-	-	-	-	-	-	-
Wigton	40	18	58	-	1	9	5	14	17	8	25	39	17	56	4	2	39	17	56	4	2	6	9	1	10	-	-	-	-	-	
TOTAL	2,113	698	2,811	62	78	207	918	340	1,258	904	237	1,141	20	8	28	2	2	1,902	632	2,534	526	261	787	61	6	67	-	-	-	-	-

COMPARATIVE TABLE, showing the SEX of PERSONS COMMITTED for TRIAL or BAILED in each of the last Ten Years, the Total in each of the Two Quinquennial Periods, and the Number in each County respectively.

COUNTIES.	1867.		1866.		1865.		1864.		1863.		Total of Five Years, 1863-67.		1862.		1861.		1860.		1859.		1858.		Total of Five Years, 1858-62.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Aberdeen -	48	20	57	19	48	22	50	20	86	19	289	106	79	36	56	14	61	31	61	38	48	21	305	140
Angus -	125	26	93	22	81	21	87	23	77	24	463	116	85	22	108	29	97	30	118	34	117	27	525	142
Ayr -	66	24	75	18	68	41	65	40	71	30	345	153	61	35	64	25	71	32	69	23	97	23	362	138
Banff -	9	12	17	4	13	8	9	5	22	6	70	35	26	5	11	8	22	12	14	2	19	3	92	30
Berwick -	37	7	43	5	45	7	43	12	36	11	204	46	35	15	26	12	45	9	74	24	56	16	236	76
Bute -	55	9	67	8	54	11	59	4	25	14	260	46	36	9	29	2	13	8	17	6	9	-	104	25
Cathness -	23	8	28	12	24	7	42	13	44	16	161	56	42	6	28	4	23	3	18	8	30	3	141	24
Clackmannan -	12	7	11	5	20	9	27	6	14	3	84	30	14	6	6	4	12	6	12	1	11	4	55	21
Dumfriesshire -	87	20	60	21	57	12	106	25	40	15	350	93	37	16	58	19	51	8	42	25	86	21	274	89
Dumfries -	21	5	24	2	27	4	25	5	32	5	120	21	68	25	37	21	45	20	55	27	85	28	290	121
Edinburgh -	297	104	268	113	271	138	262	144	261	151	1,359	650	287	164	287	129	255	168	302	164	342	202	1,473	827
Elgin and Moray -	36	6	37	12	49	11	35	18	53	8	210	55	72	4	33	8	37	8	70	10	58	5	270	35
Fife -	100	20	89	28	135	20	102	28	124	29	500	125	120	29	89	25	72	20	90	17	124	28	495	119
Forfar -	208	68	139	57	149	55	167	55	184	53	847	288	162	50	171	67	165	82	156	81	172	78	826	367
Glasgow -	36	6	17	1	18	3	32	6	17	1	120	17	28	6	21	6	22	11	39	9	43	9	153	41
Inverness -	122	27	125	11	106	23	82	26	108	38	543	125	156	38	101	10	118	26	164	30	173	30	712	134
Kincardine -	21	4	17	5	23	5	12	3	13	5	80	22	24	4	17	1	12	3	20	1	20	2	93	11
Kinross -	4	-	2	1	1	1	5	1	3	1	15	3	5	1	5	1	6	2	6	-	5	2	27	6
Kirkcubright -	8	2	10	1	16	1	6	5	23	5	63	14	9	4	13	2	20	4	20	8	39	6	101	24
Lanark -	555	264	472	275	498	249	465	269	514	200	2,504	1,317	505	256	457	290	453	259	411	258	432	245	2,358	1,308
Leith -	95	23	91	17	117	18	74	24	68	17	445	99	63	28	62	24	64	19	64	34	56	24	309	129
Nairn -	20	2	6	4	13	2	7	2	14	3	60	13	6	1	3	4	9	2	5	-	6	6	29	13
Orkney and Zetland -	34	6	1	1	19	13	45	8	68	14	167	42	52	15	43	20	44	10	46	16	40	23	234	83
Peebles -	8	-	3	1	6	1	9	-	19	3	45	5	20	7	19	3	12	1	6	1	11	2	68	14
Perth -	71	22	57	17	42	7	59	14	80	20	309	80	66	22	59	21	68	23	58	23	74	27	325	116
Renfrew -	114	55	121	62	109	92	98	56	151	76	593	341	209	99	164	106	154	107	157	124	199	114	883	550
Ross and Cromarty -	34	11	59	13	85	12	32	19	60	15	290	70	40	8	30	8	51	12	43	9	73	13	237	50
Roxburgh -	110	12	99	25	92	14	112	14	127	19	540	84	153	19	132	31	121	13	87	20	108	32	601	115
Selkirk -	17	3	6	2	16	-	24	3	10	2	73	10	9	-	11	1	5	1	6	-	1	1	32	3
Stirling -	57	13	52	16	55	21	70	25	74	27	308	102	75	27	57	39	72	25	93	40	85	34	382	165
Sutherland -	17	3	14	2	21	2	9	1	9	-	70	8	7	1	7	7	4	1	3	1	8	2	29	12
Wigtown -	50	19	42	20	42	18	82	30	44	34	260	131	76	36	52	32	102	25	76	36	82	34	388	163
TOTAL -	2,497	808	2,202	801	2,270	847	2,302	910	2,481	923	11,752	4,299	2,627	1,003	2,556	973	2,306	981	2,402	1,070	2,718	1,064	12,309	5,091

COMPARATIVE TABLE, showing the Number of PERSONS COMMITTED for TRIAL or BAILED in each of the last Ten Years, the Total in each of the Two Quinquennial Periods, and the OFFENCES with which the Persons stood Charged.

O F F E N C E S.	1867.	1866.	1865.	1864.	1863.	TOTAL of Five Years, 1863-67.	1862.	1861.	1860.	1859.	1858.	TOTAL of Five Years, 1858-62.
	1867.	1866.	1865.	1864.	1863.	TOTAL of Five Years, 1863-67.	1862.	1861.	1860.	1859.	1858.	TOTAL of Five Years, 1858-62.
Murder - - - - -	17	12	16	31	24	100	23	22	26	23	22	116
Shooting at, Stabbing, Administering Poison, &c., with intent to murder, } main, &c. (under Statute) - - - - -	10	13	12	8	16	59	22	13	8	15	13	71
Culpable Homicide - - - - -	38	32	36	39	37	182	30	23	36	26	37	152
Procuring, and attempts to procure, the Miscarriage of Women quick with Child - - - - -	-	1	-	-	-	1	1	3	2	2	-	8
Ditto of Women not quick with Child - - - - -	20	17	20	18	12	87	-	-	16	1	-	1
Concealment of Pregnancy - - - - -	4	4	4	4	5	19	3	1	7	2	4	17
Sodomy and Bestiality - - - - -	13	23	11	13	19	79	22	9	16	14	24	85
Rape - - - - -	35	39	36	36	37	183	30	42	24	27	31	154
Abduction - - - - -	12	20	14	13	13	72	-	1	-	-	-	1
Bigamy - - - - -	678	688	702	765	627	3,460	736	593	678	1,001	752	3,760
Child Stealing - - - - -	35	30	28	19	22	134	17	15	25	29	17	103
Assaults - - - - -	864	884	889	954	822	4,413	919	761	860	1,171	956	4,667
Assaults on Peace Officers in the Execution of their Duty - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Total of No. 1 - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Sacrilege - - - - -	299	222	252	278	350	1,401	372	300	232	295	196	1,335
Theft by Housebreaking - - - - -	39	32	33	45	43	192	50	47	35	54	38	224
Theft by opening Lockfast Places - - - - -	22	24	15	18	32	111	28	12	16	18	14	88
Housebreaking, with intent to Steal - - - - -	1	3	-	1	-	5	1	5	1	-	-	7
Violent Invasion of Houses, with intent to commit other high crimes than Theft - - - - -	-	-	-	-	-	-	-	-	-	-	-	-
Minor Crimes, with intent to commit the above offences - - - - -	63	42	26	47	60	238	39	37	59	1	1	2
Robbery - - - - -	19	12	7	12	6	56	4	11	-	69	58	262
Assaults, with intent to Rob, and demanding Property with Menaces - - - - -	2	1	-	-	-	3	-	-	-	3	6	24
Stouthrief - - - - -	-	-	-	-	-	4	1	1	-	-	-	2
Sending menacing Letters to extort Money - - - - -	-	-	-	-	4	-	-	-	-	-	-	-
Total of No. 2 - - - - -	445	336	333	401	495	2,010	495	415	343	440	313	2,006
Cattle Stealing - - - - -	2	-	8	4	3	16	-	5	2	4	11	22
Horse Stealing - - - - -	4	7	4	3	6	24	2	8	3	10	12	35
Sheep Stealing - - - - -	14	23	15	17	16	85	19	14	15	9	15	72
Theft, simple, or not falling under any of the previous or subsequent denominations - - - - -	1,418	1,267	1,366	1,351	1,500	6,902	1,599	1,474	1,485	1,505	1,572	7,635
Stealing Goods in Process of Manufacture - - - - -	-	-	-	-	-	-	-	1	-	-	1	2
Minor Crimes, with intent to Steal - - - - -	46	33	33	30	30	172	1	2	1	-	-	4
Embezzlement - - - - -	1	1	1	-	3	6	2	5	-	28	35	177
Stealing, &c. Letters, &c. from the Post Office by Servants - - - - -	82	52	63	40	78	315	90	89	89	74	1	13
Reset of Theft - - - - -	66	56	63	80	82	347	90	88	94	99	48	390
Frauds, and attempts to Defraud - - - - -	-	-	-	-	-	-	-	-	-	-	88	459
Total of No. 3 - - - - -	1,633	1,443	1,533	1,525	1,717	7,871	1,841	1,719	1,732	1,734	1,783	8,809
Total of No. 3 - - - - -	-	-	-	-	-	-	-	-	-	-	-	-

No. 1. Offences against the Person.

No. 2. Offences against Property, committed with Violence.

No. 3. Offences against Property, committed without Violence.

No. 4. Malicious Offences against Property.	15	9	11	6	10	51	8	8	7	10	7	40
Fire-raising (capital unless restricted)	1	-	5	1	2	9	1	2	1	-	7	40
Setting Fire to Heaths, Furze, and other subjects, where not capital	-	-	-	1	-	1	-	-	-	-	1	5
Attempts to commit Arson, set Fire to Heaths, &c.	-	-	-	-	-	-	-	-	-	-	2	2
Rioters feloniously demolishing Buildings, Machinery, &c.	-	-	-	-	-	-	-	-	-	-	-	-
Destroying Silk, Woollen, Linen, or Cotton Goods, in Process of Manufacture	-	-	-	-	-	-	-	-	-	-	-	-
Destroying Threshing Machines	-	-	-	-	-	-	-	-	-	-	-	-
Destroying Trees and Shrubs growing, &c.	-	-	-	-	-	-	-	-	-	-	-	-
Killing and maiming Cattle	2	1	3	-	-	6	1	-	-	-	-	1
Sending Letters threatening to burn Houses, &c.	31	52	39	28	41	191	56	36	34	83	37	246
Other Malicious Offences	-	-	-	-	-	-	-	-	-	-	-	-
Total of No. 4	49	62	58	36	53	258	66	47	43	93	47	296
No. 5. Forgery and Offences against the Currency.	15	9	11	6	10	51	8	8	7	10	7	40
Forging and uttering Forged Wills and Powers of Attorney for the Transfer of Stock or Receipt of Dividends	-	-	-	2	-	2	-	-	-	-	-	-
Forging and uttering Forged Bank of England Notes	-	-	-	-	4	4	-	-	-	-	-	-
Forging and uttering other Forged Instruments	40	26	43	24	47	180	41	30	46	37	34	188
Having in Possession, &c. Forged Bank of England Notes	-	-	-	-	-	-	-	-	-	-	-	-
Counterfeiting the current Gold and Silver Coin	-	-	-	-	-	-	-	-	-	-	5	5
Having in Possession, &c. Implements for Coining	-	-	-	-	-	-	-	-	-	-	1	1
Buying, and putting off Counterfeit Gold and Silver Coin	-	-	-	-	-	-	-	-	-	-	-	-
Uttering and having in Possession ditto	43	24	31	36	30	164	32	41	35	54	40	202
Counterfeiting, buying, putting off, and uttering Counterfeit Copper Coin	-	-	-	-	1	1	-	-	-	-	-	-
Total of No. 5	83	50	74	62	82	351	73	71	81	91	80	396
No. 6. Other Offences not included in the above Classes.	15	9	11	6	10	51	8	8	7	10	7	40
Assaulting armed, and to aid Smugglers	-	-	-	-	-	-	-	-	-	-	-	-
Assaulting and obstructing Officers employed to prevent Smuggling	-	-	-	-	-	-	-	-	-	-	-	-
Deer Stealing, and feloniously resisting Deerkeepers	-	-	-	-	-	-	-	3	-	-	-	3
Being out armed, &c. to take Game by Night, taking Game by Night, and assaulting Gamekeepers	24	16	11	14	21	86	23	9	45	24	28	129
Taking and destroying Fish in enclosed Water	-	-	-	-	-	-	-	-	-	-	-	-
Being at large under Sentence of Transportation	-	-	-	-	1	1	1	1	3	1	1	2
Prison-breaking, harbouring and aiding the Escape of Felons	-	-	-	2	3	5	-	-	14	12	14	6
Perjury and Subornation of Perjury	14	14	6	9	14	57	16	15	14	12	14	71
Administering unlawful Oaths	-	-	-	-	-	-	-	-	-	-	-	-
Conspiracy to raise the rate of Wages	3	-	-	-	-	3	-	-	-	-	-	-
Riot, Breach of the Peace, and Breach of Poindings	85	89	129	139	107	549	107	97	86	104	128	522
Enforcement and refusing to aid Peace Officers	-	24	5	2	5	36	5	6	5	14	-	30
Keeping Disorderly Houses	-	-	-	-	-	-	-	-	-	-	-	-
Indecently exposing the Person	-	-	1	2	3	13	4	6	5	6	8	29
Homesucken	-	-	-	-	-	-	-	-	-	-	-	-
High Crimes, not included in the above Denominations	31	18	27	25	37	138	28	27	19	21	44	139
Minor Offences, ditto	71	63	31	41	44	250	52	51	51	71	66	291
Total of No. 6	231	228	210	234	235	1,138	236	216	228	253	293	1,226
GRAND TOTAL	3,305	3,003	3,117	3,212	3,404	16,041	3,630	3,229	3,287	3,782	3,472	17,400

COMPARATIVE TABLE, showing the Number of PERSONS COMMITTED for TRIAL or BAILED in each of the last Ten Years, the Total in each of the Two Quinquennial Periods, and the Number in each County separately.

COUNTIES.	1867.	1866.	1865.	1864.	1863.	TOTAL of Five Years, 1863-67.	1862.	1861.	1860.	1859.	1858.	TOTAL of Five Years, 1858-62.
Aberdeen -	68	76	70	76	105	395	115	70	92	99	69	445
Argyll -	151	115	102	110	101	579	107	137	127	152	144	667
Ayr -	90	93	109	105	101	498	96	89	103	92	120	500
Banff -	21	21	21	14	28	105	31	19	34	16	22	122
Berwick -	44	48	52	55	47	246	50	38	54	98	72	312
Bute -	64	75	65	63	39	306	45	21	21	23	9	119
Caitness -	31	40	31	55	60	217	48	32	26	26	33	165
Clackmannan -	19	16	29	33	17	114	20	10	18	13	15	76
Dumbarton -	107	81	69	131	55	443	53	77	59	67	107	363
Dumfries -	26	26	31	30	37	150	93	58	65	82	113	411
Edinburgh -	401	381	409	406	412	2,009	451	416	423	466	544	2,300
Elgin and Moray -	42	49	60	53	61	265	76	41	45	80	63	305
Fife -	120	117	155	130	163	685	149	114	92	107	152	614
Forfar -	276	196	204	222	237	1,135	221	238	247	237	250	1,193
Haddington -	42	18	21	38	18	137	34	27	33	48	52	194
Inverness -	149	136	129	108	146	668	194	111	144	194	203	846
Kincairdine -	25	22	28	15	18	108	98	18	15	21	22	104
Kinross -	4	4	1	6	3	18	6	6	8	6	7	33
Kirkcudbright -	10	11	17	11	28	77	13	15	24	28	45	125
Lanark -	819	747	747	734	774	3,821	761	747	712	669	677	3,566
Linlithgow -	118	108	135	98	85	544	91	86	83	98	80	438
Nairn -	22	10	15	9	17	73	7	7	11	5	12	42
Orkney and Zetland -	40	2	32	53	82	209	67	63	54	62	71	317
Peebles -	8	4	7	9	22	50	27	22	13	7	13	82
Perth -	93	74	49	73	100	389	88	80	91	81	101	441
Renfrew -	169	183	201	154	227	934	308	270	261	281	313	1,433
Ross and Cromarty -	45	72	47	51	75	290	48	38	63	52	86	287
Roxburgh -	122	124	106	126	146	624	172	163	134	107	140	716
Selkirk -	20	8	16	27	12	83	9	12	6	6	2	35
Stirling -	70	68	76	95	101	410	102	96	97	133	119	547
Sutherland -	20	16	23	10	9	78	8	14	5	4	10	41
Wigton -	69	62	60	112	78	381	112	84	127	112	116	551
TOTAL -	3,305	3,003	3,117	3,212	3,404	16,041	3,630	3,229	3,287	3,472	3,782	17,400

CRIMINAL OFFENDERS (SCOTLAND).

ABSTRACT

OF

TABLES of CRIMINAL OFFENDERS for the Year
1867, reported by Her Majesty's Advocate for
Scotland, in Terms of the Statute 1 *Geol.* 4,
c. 37; with Alterations and Additions, ordered
and required by one of Her Majesty's Principal
Secretaries of State, in virtue of the Powers
therein contained.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, to be Printed,
24 April 1868.

222.

Under 3 oz.

WEIGHTS AND MEASURES.

SUPPLEMENTARY RETURN.

RETURN (in completion) to an Address of the Honourable The House of Commons,
dated 8 July 1867 ;—for,

“ RETURN of the Number of PERSONS in the METROPOLITAN PARISHES
Convicted between the 1st day of January and the 1st day of July 1867,
for the Use of FALSE WEIGHTS and MEASURES, in the following
Form :—

Name of Offender.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.

LIST OF RETURNS.

	PAGE
Finsbury Division—County of Middlesex - - - - -	2
St. Marylebone Division—County of Middlesex - - - - -	3
St. Pancras Division—County of Middlesex - - - - -	3
Court of Burgesses, Westminster - - - - -	4

(*Mr. Goldsmid.*)

Ordered, by The House of Commons, to be Printed,
21 February 1868.

FINSBURY DIVISION—COUNTY OF MIDDLESEX.

RETURN of the Number of PERSONS Convicted between the 1st day of January and the 1st day of July 1867, for the use of FALSE WEIGHTS and MEASURES.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or Second Offence.	Amount of Fine.
1867:					£. s. d.
Samuel Pulham	Victualler	Clerkenwell	26 January	First	1 - -
James French	Coal dealer	ditto	"	Second	3 - -
Thomas Jessom	Greengrocer	ditto	"	First	1 - -
Charles Allard	Herbalist	ditto	"	ditto	- 10 -
Robert Hall	Brassfounder	ditto	"	ditto	- 10 -
Samuel Wickens	Victualler	ditto	"	ditto	2 - -
Robert Curtis	Marine store dealer	St. Luke's	"	ditto	- 10 -
James Lumsden	Victualler	ditto	"	ditto	- 15 -
William Ross	ditto	ditto	"	ditto	1 - -
Alexander Shaw	ditto	ditto	"	ditto	1 - -
Frederick Foster	ditto	ditto	"	ditto	2 - -
William Strohm	ditto	ditto	"	ditto	1 10 -
George Brown	ditto	ditto	"	ditto	2 - -
John Cracknell	ditto	ditto	"	ditto	1 5 -
Mary Nolan	Coal dealer	ditto	"	ditto	- 10 -
Henry Morgan	Victualler	ditto	"	ditto	2 - -
George North	Coal dealer	ditto	"	ditto	1 - -
William Cooper	Victualler	ditto	"	ditto	2 - -
William Barber	Coal dealer	ditto	"	ditto	1 - -
William Mason	ditto	ditto	"	ditto	- 10 -
Hannah Young	Victualler	ditto	"	ditto	- 15 -
John Roberts	Cheesemonger	Islington	"	ditto	- 10 -
Charles Stephenson	Butcher	St. Luke's	"	ditto	1 - -
Joseph Collins	Coal dealer	Clerkenwell	"	ditto	- 10 -
Maria Bartlett	ditto	St. Luke's	"	ditto	- 10 -
Alfred Hill	Greengrocer	Islington	"	ditto	- 10 -
John M'Cart	Chandler	ditto	"	ditto	1 - -
John Hoare	Coal dealer	ditto	"	ditto	1 - -
H. C. and T. Pontifex	Coppersmiths	ditto	"	ditto	- 10 -
Frederick Butt	Cheesemonger	Clerkenwell	"	ditto	- 10 -
William Collins	Chandler	ditto	"	ditto	1 - -
William Bridger	Tobacconist	Islington	"	ditto	1 - -
Alfred Millbank	ditto	ditto	"	ditto	- 10 -
James Carter	ditto	ditto	"	ditto	2 - -
Benjamin Bayley	Horseflesh dealer	Clerkenwell	"	ditto	- 10 -
Thomas Seals	Coal dealer	ditto	6 April	Second	- 2 6
Richard Cowlard	ditto	Islington	"	First	- 10 -
George Puttifoote	ditto	ditto	"	ditto	- 10 -
Thomas Ivans	ditto	St. Sepulchre	"	ditto	- 5 -
Charles Tucker	ditto	Clerkenwell	"	ditto	- 2 6
Thomas Wood	Grocer	ditto	"	ditto	1 - -
Charles Bishop	Tobacconist	ditto	"	ditto	1 - -
Jane George	ditto	ditto	"	ditto	1 - -
William Jones	ditto	St. Sepulchre	"	ditto	1 - -
George Edgley	Coal dealer	Clerkenwell	"	ditto	1 - -
James Howlett	Victualler	ditto	"	ditto	- 5 -
Charles Brady	Coal dealer	ditto	"	ditto	1 - -
Daniel Tomkins	Greengrocer	Islington	"	ditto	- 10 -
John Russell	Coal dealer	ditto	"	ditto	- 10 -
John Loomes	Pork butcher	ditto	"	ditto	1 - -
Mary Ann Bull	Tobacconist	Clerkenwell	"	ditto	1 - -
William Lickfold	Coal dealer	Islington	"	ditto	- 10 -
Benjamin Gentle	ditto	ditto	"	ditto	2 - -
Robert Gibson	ditto	ditto	"	ditto	- 10 -
Robert Collins	ditto	ditto	"	ditto	- 10 -
John Turner	Butcher	ditto	"	ditto	1 - -
Nathaniel Groves	ditto	Hornsey	"	ditto	2 - -
Joseph Hewetson	Coal dealer	ditto	"	Second	2 - -

20 August 1867.

John S. Skaipe,
Clerk to the Justices of the said Division.

ST. MARYLEBONE DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Sarah Hagarty -	Licensed victualler -	St. Marylebone -	18 Feb. 1867	First offence -	- 10 -
George Spendlelow -	Grocer & cheesemonger -	- ditto -	" "	- ditto -	- 10 -
William Ambrose -	Marine store dealer -	- ditto -	" "	- ditto -	- 10 -
John Carter -	Tripe seller -	- ditto -	" "	- ditto -	- 10 -
William Oulds -	Oil and colourman -	- ditto -	" "	- ditto -	- 10 -
H. Hearson -	Coal dealer -	- ditto -	" "	- ditto -	1 - -
Elizabeth Cruikshank -	General dealer -	- ditto -	" "	- ditto -	- 10 -
Henry Cheney -	- ditto -	- ditto -	" "	- ditto -	- 10 -
William Bryant -	Cheesemonger -	- ditto -	" "	- ditto -	- 10 -
Walter Stepney -	Marine store dealer -	- ditto -	" "	- ditto -	- 10 -
Thomas Arden -	Coal dealer -	- ditto -	8 April "	- ditto -	- 10 -
Eleanor Reynolds -	Marine store dealer -	- ditto -	" "	- ditto -	- 10 -
Patrick Leonard -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
John Kidd -	- ditto -	- ditto -	" "	- ditto -	- 10 -
Lewham, Mrs. -	Huckster -	- ditto -	" "	- ditto -	- 10 -
William Prenter -	Baker -	- ditto -	" "	- ditto -	- 10 -
John Stubbs -	Greengrocer -	- ditto -	" "	- ditto -	- 10 -
Robert Abraham -	Beer retailer -	- ditto -	3 June "	- ditto -	- 10 -
Charles Engelmann -	Baker -	- ditto -	" "	- ditto -	- 10 -
William Richards -	General dealer -	- ditto -	" "	- ditto -	- 10 -

W. E. Greenwell,
Clerk to Justices.

ST. PANCRAS DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
— Riches -	Licensed victualler -	St. Pancras -	22 Jan. 1867	First offence -	- 5 -
Annie Lloyd -	Grocer -	- ditto -	20 Feb. "	- ditto -	- 5 -
George Baker -	- ditto -	- ditto -	25 " "	- ditto -	- 10 -
R. Burt -	Greengrocer -	- ditto -	" "	- ditto -	- 10 -
George Neil -	- ditto -	- ditto -	" "	- ditto -	- 5 -
James Horne -	Butcher -	- ditto -	5 March "	Second offence -	- 10 -
Henry Miller -	Marine store dealer -	- ditto -	" "	- ditto -	- 10 -
Charles Bush -	Pork butcher -	- ditto -	" "	First offence -	- 2 6
W. Wray -	Butcher -	- ditto -	16 April "	- ditto -	- 10 -
J. B. Boxall -	- ditto -	- ditto -	" "	- ditto -	- 10 -
J. Reest -	- ditto -	- ditto -	" "	- ditto -	- 10 -
Henry Lack -	Cheesemonger -	- ditto -	" "	Third offence -	- 10 -
Geo. Manley -	Butcher -	- ditto -	" "	Second offence -	- 10 -
W. Silk -	- ditto -	- ditto -	" "	Third offence -	- 10 -
W. Rooker -	- ditto -	- ditto -	" "	First offence -	- 5 -
George Danes -	Oilman -	- ditto -	20 June "	- ditto -	- 5 -
J. Roger Tapp -	Marine store dealer -	- ditto -	" "	Second offence -	- 15 -
E. P. Bolton -	Greengrocer -	- ditto -	" "	First offence -	- 5 -
— Green -	Marine store dealer -	- ditto -	" "	- ditto -	- 2 6
Jas. Gray -	Cheesemonger -	- ditto -	25 " "	- ditto -	- 5 -
George Holland -	Butcher -	- ditto -	18 " "	- - -	- 10 -
Richard Jones -	Greengrocer -	- ditto -	" "	- - -	- 10 -
George Parrett -	Eating-house keeper -	- ditto -	" "	- - -	- 5 -
Carracio Pedretti -	Dairyman -	- ditto -	" "	- - -	- 10 -
Thomas Lowe -	Cheesemonger -	- ditto -	" "	- - -	- 5 -
George Tyler -	Dairyman -	- ditto -	" "	No return -	- 10 -
Eliza Elliott -	Fishmonger -	- ditto -	" "	- - -	- 2 6
Oma Denton -	- - -	- ditto -	" "	- - -	- 5 -
John Langley -	Chandler -	- ditto -	" "	- - -	- 5 -
Eliza Mumford -	- - -	- ditto -	" "	- - -	- 5 -

18 February 1868.

Scaddy & Son,
Clerks to the Justices.

COURT OF BURGESSES, WESTMINSTER.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
George Harris - -	Butcher - -	St. Margaret - -	3 Jan. 1867	Second offence -	5 - -
Thomas Westlake -	Chandler - -	St. George - -	" "	First offence -	- 5 -
George Donovan -	Fishmonger -	- ditto - -	" "	Second offence -	1 - -
Joseph Ward - -	Greengrocer -	St. Clement Danes	" "	First offence -	- 5 -
Arthur Bradley -	Coal dealer -	- ditto - -	" "	- ditto - -	- 10 -
Ann Wheeler - -	Costermonger -	- ditto - -	" "	- ditto - -	- 5 -
Jane Field - -	Chandler - -	St. George - -	" "	- ditto - -	- 10 -
Charles Bond - -	- ditto - -	- ditto - -	" "	- ditto - -	- 5 -
Robert Woodford -	Pork butcher -	St. Margaret - -	" "	- ditto - -	- 15 -
John Henley - -	Coal dealer -	- ditto - -	" "	- ditto - -	- 5 -
Robert Bass - -	- ditto - -	St. John - -	" "	- ditto - -	- 5 -
Joseph Bigwood -	Tripe seller -	- ditto - -	" "	- ditto - -	- 10 -
Hutton Wood - -	Baker - -	- ditto - -	" "	- ditto - -	- 10 -
George Knapp - -	Cheesemonger -	St. Margaret - -	" "	- ditto - -	- 10 -
Caroline May - -	Greengrocer -	- ditto - -	" "	- ditto - -	- 7 6
Mary Scott - -	Chandler - -	- ditto - -	" "	- ditto - -	- 5 -
Charles M'Carthy -	- ditto - -	- ditto - -	" "	- ditto - -	- 15 -
John Hale - -	Dealer in grindery	St. John - -	" "	- ditto - -	- 10 -
Charlotte Fishleigh -	Licensed victualler	St. James - -	7 Feb. 1867	- ditto - -	- 5 -
Edwin Rice - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Edward Wakeling -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Jane Lawson - -	- ditto - -	- ditto - -	" "	Second offence -	- 15 -
Thomas Wallace - -	- ditto - -	St. Anne, Soho	" "	First offence -	1 - -
William Cornelius -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Daniel Copas - -	- ditto - -	St. John - -	" "	Second offence -	- 15 -
Richard Owen Harris	- ditto - -	- ditto - -	" "	First offence -	1 - -
Stephen Wilkins -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Eason - -	- ditto - -	- ditto - -	" "	- ditto - -	1 - -
William Goodacre -	- ditto - -	- ditto - -	" "	- ditto - -	- 7 6
John Crane - -	- ditto - -	- ditto - -	" "	- ditto - -	- 15 -
William Henry Alldis	Eating-house keeper	- ditto - -	" "	- ditto - -	- 10 -
Mary Chadwick - -	Licensed victualler	St. Margaret - -	" "	Third offence -	2 - -
John Surridge - -	- ditto - -	St. James - -	" "	First offence -	- 5 -
George William Groves	- ditto - -	- ditto - -	" "	- ditto - -	1 - -
James Edmonds - -	- ditto - -	St. Anne - -	4 April 1867	- ditto - -	- 10 -
Richard Frost - -	- ditto - -	- ditto - -	" "	- ditto - -	1 5 -
Charles Morgan - -	- ditto - -	- ditto - -	" "	- ditto - -	1 5 -
Richard Haylett -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Louisa Wright - -	- ditto - -	- ditto - -	" "	- ditto - -	1 10 -
Laurent Montebruno -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
John Parriss - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Elizabeth Balmer -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Curtis - -	- ditto - -	St. John - -	" "	Second offence -	1 5 -
Elizabeth Quamby -	Chandler - -	- ditto - -	" "	First offence -	- 10 -
Albert Young - -	Pork butcher -	- ditto - -	" "	- ditto - -	- 5 -
Robert Rushbrook -	Beerseller - -	- ditto - -	" "	- ditto - -	- 7 6
Ezekiel Goff - -	Licensed victualler	- ditto - -	" "	- ditto - -	- 15 -
Henry Smith - -	Beerseller - -	- ditto - -	" "	- ditto - -	- 10 -
Frederick Charles Winch	Licensed victualler	- ditto - -	" "	- ditto - -	- 15 -
William Blackney -	- ditto - -	- ditto - -	" "	- ditto - -	- 12 6
Mary Manley - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
William Orriss - -	Beerseller - -	- ditto - -	2 May 1867	- ditto - -	- 12 6
Samuel William Steer	Licensed victualler	St. George - -	" "	- ditto - -	- 12 -
Alfred Henry Bell -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Edmonds - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Charles Pearce - -	- ditto - -	- ditto - -	" "	- ditto - -	- 15 -
William Barrett - -	- ditto - -	St. James - -	" "	- ditto - -	- 15 -
Samuel Attwood - -	- ditto - -	- ditto - -	" "	Second offence -	- 15 -
William J. Makein -	- ditto - -	- ditto - -	" "	First offence -	- 15 -
Samuel Cole - -	- ditto - -	- ditto - -	" "	- ditto - -	- 15 -
James Bone - -	- ditto - -	St. Martin - -	" "	Second offence -	1 - -

COURT OF BURGESSES, WESTMINSTER—*continued.*

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
William Charker	Licensed victualler	St. Martin	2 May 1867	First offence	10 - -
Henry Alexander	ditto	ditto	" "	ditto	10 - -
John Besley	ditto	ditto	" "	Second offence	15 - -
Ellis Dunrich	ditto	ditto	" "	ditto	1 - -
Hiram J. Stewart	ditto	ditto	" "	First offence	10 - -
William Sampson	ditto	St. Margaret	" "	ditto	5 6 -
David Davis	ditto	St. John	" "	ditto	12 6 -
Charles Haycroft	ditto	ditto	" "	ditto	1 - -
William Silcock	ditto	ditto	" "	ditto	1 5 -
Acton Francis Phillips	ditto	St. Margaret	" "	ditto	1 5 -
George Mason	Baker	St. George	" "	ditto	15 - -
Charles Williams	Licensed victualler	St. Martin	" "	ditto	10 - -
John Conrad Habicht	ditto	ditto	" "	ditto	10 - -
John Rouget	ditto	ditto	" "	ditto	10 - -
William Vass	ditto	ditto	" "	ditto	7 6 -
William Johnston	ditto	ditto	" "	Second offence	1 10 -
Albert Edward Barrett	ditto	St. James	" "	First offence	2 - -
Theophilus Fuchs	ditto	St. John	" "	ditto	15 - -
Joseph Richard Dussee	ditto	ditto	" "	ditto	1 - -
James Hogg	ditto	St. James	" "	ditto	12 6 -
John Presland	ditto	ditto	" "	Second offence	12 6 -
John Cullen and John Henry Clark.	ditto	ditto	" "	First offence	10 - -
Ann Last	ditto	ditto	" "	ditto	10 - -
John Ford	ditto	ditto	" "	ditto	5 - -
Robert Tweedy	ditto	ditto	" "	ditto	10 - -
Thomas Rose	ditto	ditto	" "	ditto	10 - -
Henry Carter	ditto	St. George	" "	Second offence	15 - -
Joseph Ellis	ditto	ditto	" "	First offence	10 - -
John Town	ditto	ditto	" "	ditto	15 - -
Francis Search	ditto	ditto	" "	ditto	1 - -
Charles Reuben Smith	ditto	ditto	" "	ditto	1 - -
John Dobson	ditto	ditto	6 June 1867	ditto	12 6 -
John Brown	ditto	ditto	" "	Third offence	1 - -
Thomas Lynn	ditto	ditto	" "	First offence	10 - -
William Copas	ditto	ditto	" "	ditto	10 - -
Henry Woodrow	Cheesemonger	ditto	" "	ditto	15 - -
Edward Hall	Licensed victualler	ditto	" "	Second offence	15 - -
Matthew Haddock	ditto	ditto	" "	First offence	10 - -
John Barrow	ditto	ditto	" "	ditto	15 - -
Sarah Green	ditto	St. John	" "	ditto	15 - -
John Wells	ditto	ditto	" "	ditto	1 10 -
Clement Varndell	ditto	St. Martin	" "	ditto	10 - -
Joseph Wormald	ditto	ditto	" "	ditto	1 10 -
James William Till	ditto	ditto	" "	ditto	15 - -
John Roche	ditto	St. James	" "	ditto	1 - -
James William Edwards.	ditto	St. George	" "	ditto	10 - -
George Burcham	ditto	ditto	" "	ditto	10 - -
Frederick Harrison	ditto	St. Paul	" "	ditto	10 - -
John Hunter	ditto	ditto	" "	ditto	15 - -
Henry Richard Villiers	ditto	ditto	" "	Second offence	15 - -

31, Abingdon-street, Westminster,
7 October 1867.

W. M. Trollope,
Town Clerk.

WEIGHTS AND MEASURES.

SUPPLEMENTARY RETURN.

RETURN of the Number of Persons in the
METROPOLITAN PARISHES Convicted between
1st January and 1st July 1867, for the Use
of FALSE WEIGHTS and MEASURES; &c.

(*Mr. Goldsmid.*)

*Ordered, by The House of Commons, to be Printed,
21 February 1868.*

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WEIGHTS AND MEASURES (METROPOLIS).

Return to an Address of the Honourable The House of Commons,
dated 2 April 1868;—for,

“ RETURN of the Number of PERSONS in the METROPOLITAN PARISHES
Convicted between the 1st day of July 1867 and the 1st day of January
1868, of using FALSE WEIGHTS and MEASURES ; stating Name, Trade,
and Parish of Offender ; Date of Conviction ; whether First or subsequent
Offence ; Amount of Fine.”

(*Lord Eustace Cecil.*)

Ordered, by the House of Commons, to be Printed,
28 July 1868.

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RETURN of the Number of PERSONS in the METROPOLITAN PARISHES Convicted, between the 1st day of July 1867 and the 1st day of January 1868, of using FALSE WEIGHTS and MEASURES; stating Name, Trade, and Parish of Offender; Date of Conviction; whether First or subsequent Offence; Amount of Fine.

FINSBURY DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Eliza Williams -	Coal dealer -	St. Mary, Islington	6 July 1867	First offence -	1 - -
Cornelius Cockling -	- ditto -	- ditto -	" "	- ditto -	- 10 -
George Newman -	- ditto -	- ditto -	" "	- ditto -	1 - -
Thomas Hennigan -	Cheesemonger -	- ditto -	" "	Second offence -	3 - -
Henry Rogers -	Coal dealer -	- ditto -	" "	First offence -	1 - -
George Warn -	Cheesemonger -	- ditto -	" "	- ditto -	1 10 -
William Freeman -	Greengrocer -	- ditto -	" "	- ditto -	1 10 -
Charles Galer -	- ditto -	- ditto -	" "	- ditto -	2 - -
G. Wm. Murrill -	- ditto -	- ditto -	" "	- ditto -	1 - -
James Marshall -	Chandler -	- ditto -	" "	- ditto -	3 - -
Joseph Smith -	Coal dealer -	- ditto -	" "	- ditto -	1 - -
George March -	Baker -	Clerkenwell -	" "	- ditto -	- 10 -
Joseph Sinclair -	Victualler -	- ditto -	" "	- ditto -	1 10 -
Joseph Brown -	- ditto -	- ditto -	" "	- ditto -	1 - -
Robert Robinson -	Cook-shop keeper -	St. Luke's -	28 Sept. "	- ditto -	1 - -
Elizabeth Biggs -	Baker -	- ditto -	" "	- ditto -	1 - -
Thomas Flack -	Butcher -	- ditto -	" "	Second offence -	2 - -
Thomas Seals -	Coal dealer -	Clerkenwell -	" "	Third offence -	2 10 -
Henry Williamson -	- ditto -	St. Mary, Islington	" "	First offence -	1 - -
John Redford -	Tobacconist -	Clerkenwell -	" "	- ditto -	1 - -
William Kyle -	- ditto -	- ditto -	" "	- ditto -	1 - -
Fanny Sinnock -	- ditto -	- ditto -	" "	- ditto -	1 - -
John Elberry -	Stall keeper -	- ditto -	" "	- ditto -	1 - -
S. Bowyer -	Beerseller -	St. Luke's -	" "	- ditto -	1 - -
William Gulliver -	Chandler -	- ditto -	" "	- ditto -	2 - -
W. M. Ford -	Victualler -	Liberty of Saffron Hill.	" "	- ditto -	2 - -
C. Morgan -	Fruiterer -	- ditto -	" "	- ditto -	5 - -
Thomas Layborn -	Victualler -	Clerkenwell -	" "	- ditto -	2 10 -
Joseph Pritchard -	Beerseller -	- ditto -	" "	- ditto -	- 5 -
Mary Redden -	Coal dealer -	Liberty of Saffron Hill.	" "	- ditto -	- 10 -
Pietro Bordessa -	Victualler -	- ditto -	" "	- ditto -	1 - -
George Blick -	Baker -	Clerkenwell -	" "	- ditto -	2 - -

John S. Shaife,
Clerk to the Justices.

HOLBORN DIVISION—COUNTY OF MIDDLESEX.

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
1	Henry Finch - -	Licensed victualler	St. Andrew, Holborn-above-Bars.	9 July 1867 -	First offence -	£. s. d. 3 10 -
2	Mary Ann Rogers -	Chandler - -	St. Giles-in-the-Fields	" "	- ditto - -	- 15 -
3	Frederick B. Davage	Tobacconist - -	- ditto - - -	" "	- ditto - -	- 5 -
4	Ditto - - -	- ditto - - -	- ditto - - -	" "	- ditto - -	- 5 -
5	Robert Barnes - -	Greengrocer -	St. John, Hampstead	" "	- ditto - -	1 - -
6	Robert Sewell - -	Licensed victualler	St. Andrew, Holborn-above-Bars.	" "	- ditto - -	2 - -
7	Cornelius W. Avis -	- ditto - - -	- ditto - - -	" "	- ditto - -	2 - -
8	John Burge - -	- ditto - - -	- ditto - - -	" "	- ditto - -	1 10 -
9	Eliza Pugh - -	- ditto - - -	- ditto - - -	" "	- ditto - -	1 - -
10	William Gibbons -	Shrimp seller -	- ditto - - -	" "	- ditto - -	1 - -
11	Charles Maynard -	- ditto - - -	- ditto - - -	" "	- ditto - -	- 10 -
12	Henry F. Porter -	Greengrocer -	- ditto - - -	" "	- ditto - -	- 10 -
13	Frederick Stratton -	Licensed victualler	St. George-the-Martyr	" "	Second offence -	5 - -
14	John Dodson - -	- ditto - - -	St. George, Bloomsbury.	" "	- ditto - -	2 10 -
15	Thomas Wood - -	- ditto - - -	St. Giles-in-the-Fields	" "	First offence -	1 - -
16	Benjamin Scatchard -	- ditto - - -	St. George-the-Martyr	" "	- ditto - -	2 5 -
17	William Whale - -	Beerseller - -	St. Giles-in-the-Fields	" "	- ditto - -	- 5 -
18	Samuel Coulson -	Licensed victualler	- ditto - - -	" "	- ditto - -	1 - -
19	Catherine Brown -	Chandler - - -	- ditto - - -	" "	- ditto - -	- 10 -
20	Thomas Pickett - -	Beerseller - -	Hampstead - -	24 Sept. "	Second offence -	1 - -
21	Alfred Wells - -	Cheesemonger -	St. Giles-in-the-Fields	" "	First offence -	1 - -
22	James Stevens - -	Potato dealer -	St. Andrew, Holborn-above-Bars.	" "	- ditto - -	- 10 -
23	Charles Allen - -	Selling rabbits in the street.	- ditto - - -	" "	- ditto - -	- 10 -
24	Philip Castle - -	Flour and corn dealer.	St. John, Hampstead	" "	- ditto - -	- 10 -
25	Ditto - - -	- ditto - - -	- ditto - - -	" "	- ditto - -	- 5 -
26	Henry Pratt - -	Greengrocer -	- ditto - - -	" "	- ditto - -	- 5 -
27	Elizabeth Waldron -	Chandler - - -	- ditto - - -	" "	- ditto - -	- 15 -
28	John Eldridge - -	Licensed victualler	- ditto - - -	" "	- ditto - -	1 15 -
29	Mary Elizabeth Bryne	- ditto - - -	St. George, Bloomsbury.	22 Oct. "	- ditto - -	1 - -
30	Henry Hart - -	- ditto - - -	St. George-the-Martyr	" "	Fourth offence -	5 - -
31	John Corbey - -	Chandler - - -	St. Andrew, Holborn-above-Bars.	" "	Second offence -	- 10 -
32	Adam Brooks - -	Licensed victualler	- ditto - - -	" "	First offence -	1 - -
33	John Spredbury -	Wholesale cheese-merchant.	St. Giles-in-the-Fields	" "	- ditto - -	- 10 -
34	William George Mixey	Oilman - - -	- ditto - - -	" "	- ditto - -	- 2 6 -
35	Thomas Bryers - -	Bread and flour seller.	St. George-the-Martyr	" "	- ditto - -	- 5 -

Charles Wright,
Clerk to the Justices.

KENSINGTON DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Daniel Starkie -	Beer retailer -	Chiswick -	6 Aug. 1867	First offence -	- 15 -
Joseph Portch -	Licensed victualler -	- ditto -	" "	- ditto -	- 10 -
Alfred Burness Voysey	Grocer -	- ditto -	" "	Third offence -	1 - -
Philip Daniels -	- ditto -	- ditto -	" "	First offence -	- 5 -
William Burgess -	Baker -	Acton -	" "	- ditto -	- 10 -
Joseph Martin -	Corn dealer -	- ditto -	" "	- ditto -	- 10 -
Thomas Kennett -	Butcher -	- ditto -	" "	- ditto -	- 10 -
William Folkes -	Grocer -	- ditto -	" "	- ditto -	- 10 -
William Henry Taylor	Licensed victualler	- ditto -	" "	- ditto -	1 - -
John Water Boyer -	- ditto -	- ditto -	" "	- ditto -	1 - -
William Henry Roberts	- ditto -	Kensington -	5 Nov. "	- ditto -	1 - -
John Spicer -	- ditto -	- ditto -	" "	- ditto -	1 - -
Julian Pritchard -	- ditto -	- ditto -	" "	- ditto -	1 10 -
Frederick Lockyer -	Hawker of fish -	- ditto -	" "	- ditto -	1 1 -
George Whitefoot -	Beer retailer -	Fulham -	" "	- ditto -	- 15 -
William Saunders -	Licensed victualler	- ditto -	" "	- ditto -	1 - -
Henry Maynard -	- ditto -	- ditto -	" "	- ditto -	1 - -
Lucy Larby -	- ditto -	- ditto -	" "	- ditto -	- 15 -
William Murphy -	- ditto -	Hammersmith	" "	- ditto -	- 16 -
Samuel Osmond & Son	Butchers -	- ditto -	" "	- ditto -	- 10 -
Thomas Ellis -	Marine-store dealer	Willesden -	" "	- ditto* -	- 15 -
Ditto -	- ditto -	- ditto -	" "	- ditto† -	- 5 -
Charles Thomas Wood	Licensed victualler	Chelsea -	" "	- ditto -	1 5 -
William Braybrook -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
Edward Carter -	Coal and potato dealer.	- ditto -	" "	- ditto -	1 - -
James Judd Osborne -	Licensed victualler	- ditto -	" "	- ditto -	1 15 -
William Geo. Cattle -	Tobacconist -	- ditto -	" "	- ditto -	5 - -
Elizabeth Franzmann	Baker -	- ditto -	" "	- ditto -	- 5 -
Sarah Barker & Edwin Barker.	Lead and colour merchants.	- ditto -	3 Dec. "	- ditto -	1 10 -
William Line -	Marine-store dealer	- ditto -	" "	- ditto -	1 10 -
William Fielding -	Chandler -	- ditto -	" "	- ditto -	1 5 -
Charles Joseph Edmonds.	Licensed victualler	- ditto -	" "	- ditto -	2 - -
Thomas Gurney -	Grocer and cheese-monger.	Kensington -	" "	- ditto -	1 1 -
James Medler -	Cheesemonger -	- ditto -	" "	- ditto -	2 - -
Richard Reeves -	Grocer and cheese-monger.	- ditto -	" "	- ditto -	- 10 -
Emma Atkins -	Cooked meat shop-keeper.	- ditto -	" "	- ditto -	- 10 -
Thomas Oxenham -	Baker -	Hammersmith -	" "	- ditto -	- 5 -

* This offence consisted in the possession of unjust weights.

† This offence consisted in the possession of an unjust balance.

Samuel Cornell,
Clerk to the Justices.

PADDINGTON DIVISION—COUNTY OF MIDDLESEX.

THERE were no such convictions by Justices in the Paddington Division in the period named.

Sessions House, Clerkenwell,
30 April 1868.Charles Wright,
Clerk to the Justices.

HANOVER SQUARE DIVISION—COUNTY OF MIDDLESEX.

THIS Divisional Sessions has not hitherto adjudicated on any cases to which this Return refers.

Board-room, Mount-street,
30 April 1868.

T. B. Chappell, Clerk.

ST. MARYLEBONE DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
A. B. - -	Costermonger - - -	St. Giles - -	5 Aug. 1867	First offence -	- 10 -
" - - -	General dealers - -	St. Pancras - -	" "	- ditto - -	- 10 -
" - - -	Carman, agent, and coal merchant.	Paddington - -	" "	- ditto - -	1 - -
" - - -	General shopkeepers -	St. Marylebone -	" "	- ditto - -	- 10 -
" - - -	Dairyman - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Costermonger - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Potato salesman - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Brewer - - -	- ditto - -	7 Oct. "	- ditto - -	- 10 -
" - - -	Baker - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Greengrocer - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Costermonger - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Greengrocer - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Coal dealer - - -	St. Pancras - -	" "	- ditto - -	- 10 -
" - - -	General dealer - -	St. Marylebone -	" "	- ditto - -	- 10 -
" - - -	Coal merchant and car- man.	Paddington - -	" "	Second offence -	1 - -
" - - -	Cook-shop keeper -	St. Marylebone -	" "	- ditto - -	- 10 -
" - - -	General dealer - -	- ditto - -	" "	First offence -	- 10 -
" - - -	Greengrocer - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Baker - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Licensed victualler -	- ditto - -	" "	- ditto - -	1 - -
" - - -	Baker - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Costermonger - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Fishmonger - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Marine-store dealer -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Coal dealer - - -	St. Pancras - -	" "	- ditto - -	- 10 -
" - - -	Costermonger - - -	St. Marylebone -	" "	- ditto - -	- 10 -
" - - -	Cheesemonger - - -	- ditto - -	" "	Second offence -	1 - -
" - - -	Chandler's-shop keeper	- ditto - -	" "	First offence -	- 10 -
" - - -	- ditto - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Licensed victualler -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Coal merchant - - -	- ditto - -	2 Dec. "	- ditto - -	- 10 -
" - - -	Butcher - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Cheesemonger - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Butcher - - -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Licensed victualler -	- ditto - -	" "	- ditto - -	- 10 -
" - - -	Chandler's-shop keeper	- ditto - -	" "	- ditto - -	- 10 -

Note.—In making a return of false weights and measures, it should be stated that in many cases those who were fined for using false weights and measures were not proved to have done so with intent to defraud, but to have allowed the offence to arise from carelessness or negligence. It is not, therefore, deemed desirable to give the names of the parties offending within the above-named period, especially as, under the local Act, every one found guilty of a second and subsequent offence is advertised in a newspaper circulating in the county. Those who were fined from other parishes were found trading in the streets of St. Marylebone.

W. E. Greenwell,
Clerk to the Magistrates.

ST. PANCRAS DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount Fine.
John Fielding - -	Butcher - -	St. Pancras - -	13 Aug. 1867	First offence - -	£. s. d. - 5 -
Henry Shailer - -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 10 -
W. Morgan - -	Butcher - -	- ditto - -	28 Aug. "	- ditto - -	- 5 -
William A. King - -	Grocer - -	- ditto - -	" "	- ditto - -	- 5 -
Thomas S. Howard - -	Cheesemonger - -	- ditto - -	9 Sept. "	- ditto - -	- 10 -
James Ambler - -	Butterman - -	- ditto - -	" "	- ditto - -	- 10 -
William Crocker - -	Butcher - -	- ditto - -	" "	- ditto - -	- 10 -
Jabez Elvidge - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
John Jones - -	Butterman - -	- ditto - -	" "	- ditto - -	- 10 -
Janet Graham - -	Oilshop - -	- ditto - -	" "	- ditto - -	- 10 -
John Meadows - -	Licensed victualler - -	- ditto - -	" "	- ditto - -	- 10 -
William T. Taunton - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Andrews - -	Dairyman - -	- ditto - -	" "	- ditto - -	- 5 -
John Petherbridge - -	Butcher - -	- ditto - -	" "	- ditto - -	- 5 -
Mary Bridger - -	Cheesemonger - -	- ditto - -	" "	- ditto - -	- 10 -
James Andrews - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Thomas Phillips - -	Butcher - -	- ditto - -	" "	- ditto - -	- 5 -
Peter Schwenk - -	Baker - -	- ditto - -	" "	- ditto - -	- 10 -
George Mills - -	Oilman - -	- ditto - -	" "	- ditto - -	- 5 -
Richard Bradsall - -	Greengrocer - -	- ditto - -	26 Sept. "	- ditto - -	- 10 -
William Blofield - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Calvert - -	General dealer - -	- ditto - -	17 Oct. "	Second offence - -	- 5 -
John Edwards - -	Marine store - -	- ditto - -	" "	First offence - -	- 5 -
Isaac Jacobs - -	- ditto - -	- ditto - -	" "	Second offence - -	1 - -
George Holland - -	Butcher - -	- ditto - -	" "	- ditto - -	1 - -
John Bennet - -	Eating-house keeper - -	- ditto - -	" "	- ditto - -	1 - -
John Wright - -	Cheesemonger - -	- ditto - -	" "	- ditto - -	1 - -
Thomas Fraser - -	Marine store - -	- ditto - -	" "	First offence - -	- 10 -
J. E. Bates - -	Coal dealer - -	- ditto - -	30 Oct. "	Second offence - -	- 5 -
B. Kohler - -	Baker - -	- ditto - -	" "	First offence - -	- 10 -
Thomas Brown - -	Butcher - -	- ditto - -	" "	- ditto - -	- 10 -
John Vincent - -	Greengrocer - -	- ditto - -	20 Nov. "	- ditto - -	- 5 -
George Hobart - -	- ditto - -	- ditto - -	" "	- ditto - -	- 5 -
Henry Gouldin - -	- ditto - -	- ditto - -	21 Nov. "	- ditto - -	- 2 6
Edward Gould - -	Cheesemonger - -	- ditto - -	" "	Second offence - -	- 15 -
J. Cole - -	- ditto - -	- ditto - -	" "	First offence - -	- 2 6
Charles Kibblewhite - -	Greengrocer - -	- ditto - -	" "	Second offence - -	- 10 -
John Hawes - -	Coal dealer - -	- ditto - -	10 Dec. "	First offence - -	- 10 -
George Gordge - -	Baker - -	- ditto - -	11 Dec. "	- ditto - -	- 10 -
Henry White - -	Coal dealer - -	- ditto - -	" "	- ditto - -	- 10 -
James Evans - -	Marine store - -	- ditto - -	" "	- ditto - -	- 10 -
Maria M'Carthy - -	Coal dealer - -	- ditto - -	" "	- ditto - -	- 10 -
Robert Smith - -	General dealer - -	- ditto - -	" "	- ditto - -	- 10 -

8 May 1868.

Fras. Plaw,
Vestry Clerk.

STRAND DIVISION—COUNTY OF MIDDLESEX.

— Nil. —

John F. Isaacson,
Clerk to the Justices.

COURT OF BURGESSES, WESTMINSTER.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Henry Stevens - -	Licensed victualler	St. George, Han-over-square.	4 July 1867	First offence -	- 15 -
Henry Evans - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Thomas Stocks - -	- ditto - -	- ditto - -	" "	- ditto - -	1 10 -
Edward F. Merrick -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Daniel Sargent - -	Beerseller - -	- ditto - -	" "	- ditto - -	- 15 -
Peter McVicker - -	Licensed victualler	- ditto - -	" "	- ditto - -	- 10 -
George Potter - -	Beerseller - -	- ditto - -	" "	- ditto - -	- 10 -
John Barber - -	Licensed victualler	- ditto - -	" "	- ditto - -	- 10 -
Samuel Edward Sande.	- ditto - -	St. Martin - -	" "	- ditto - -	- 15 -
John Wilby - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
Mary Beauchlerk -	- ditto - -	- ditto - -	" "	- ditto - -	1 - -
Robert Lear - -	Cheesemonger -	- ditto - -	" "	Second offence	2 - -
Thomas A. Clond -	Licensed victualler	St. Mary-le-Strand	" "	First offence	2 - -
Edward Gilbert - -	- ditto - -	- ditto - -	" "	- ditto - -	1 - -
Isaac Cartledge -	- ditto - -	- ditto - -	1 Aug. "	- ditto - -	1 - -
William Wheeler -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
George Embleton -	- ditto - -	- ditto - -	" "	Second offence	- 10 -
James Grafton - -	- ditto - -	St. John - -	" "	First offence	1 - -
John Horgan - -	Beerseller - -	St. Margaret -	" "	Second offence	- 7 6
William Goodyear -	Licensed victualler	St. George - -	" "	First offence	- 12 6
William Allen - -	- ditto - -	- ditto - -	" "	- ditto - -	- 15 -
Edward Wise - -	Cheesemonger -	- ditto - -	" "	- ditto - -	- 2 6
Samuel Whatley -	Beerseller - -	- ditto - -	" "	- ditto - -	1 - -
Jonathan Lidstone	Butcher - -	- ditto - -	" "	Third offence	3 - -
James Moore - -	Beerseller - -	- ditto - -	" "	First offence	- 10 -
Deasley Andrews -	Chandler - -	St. James - -	" "	- ditto - -	- 5 -
John Messer - -	Dairyman - -	- ditto - -	" "	- ditto - -	- 10 -
Ann Holmes - -	Marine-store dealer	- ditto - -	" "	- ditto - -	2 - -
Richard Dale - -	Butcher - -	- ditto - -	" "	- ditto - -	1 - -
William D. Barrett	Licensed victualler	- ditto - -	" "	- ditto - -	- 5 -
James Kemp - -	Oilman - -	- ditto - -	" "	- ditto - -	- 10 -
Peter Wighton - -	Baker - -	- ditto - -	" "	- ditto - -	- 12 6
Joseph Patterson -	Beerseller - -	St. Margaret -	" "	Second offence	- 7 6
Daniel Ward - -	Butcher - -	St. Martin - -	3 Oct. "	First offence	- 2 6
William Dunn - -	Cheesemonger -	- ditto - -	" "	- ditto - -	- 10 -
Thomas Baker - -	Coal dealer - -	St. John - -	" "	- ditto - -	- 10 -
William Rodd - -	Greengrocer - -	- ditto - -	" "	- ditto - -	2 - -
John Francis - -	Chandler - -	- ditto - -	" "	- ditto - -	- 10 -
Elizabeth Belt - -	- ditto - -	- ditto - -	" "	- ditto - -	- 5 -
Augustus Hornibrook	Greengrocer - -	- ditto - -	" "	Second offence	- 15 -
Lawrence Ryan - -	- ditto - -	- ditto - -	" "	First offence	- 10 -
Richard Mann - -	Chandler - -	- ditto - -	" "	- ditto - -	- 12 6
Thomas King - -	Marine store dealer	- ditto - -	" "	- ditto - -	- 10 -
Ellen Daykin - -	Chandler - -	- ditto - -	" "	- ditto - -	- 7 6
Robert Clay - -	Butcher - -	St. Anne - -	" "	- ditto - -	2 - -
John Corbett - -	Cheesemonger -	- ditto - -	" "	- ditto - -	- 5 -
Samuel Jackson - -	Marine-store dealer	- ditto - -	" "	- ditto - -	- 10 -
Thomas Hood - -	Baker - -	- ditto - -	" "	- ditto - -	- 7 6
Jane Sully - -	Chandler - -	- ditto - -	" "	- ditto - -	- 5 -
Charles Radley - -	Greengrocer - -	- ditto - -	" "	Second offence	1 - -
James Reilly - -	Chandler - -	- ditto - -	" "	First offence	- 5 -
Edmond Johnson - -	Coal dealer - -	St. Martin -	7 Nov. "	- ditto - -	- 1 -
Frederick Henry Wallis.	Marine-store dealer	St. Anne - -	" "	- ditto - -	- 10 -
George Simpson - -	Oilman - -	- ditto - -	" "	- ditto - -	- 5 -
Elizabeth Fuller -	Chandler - -	- ditto - -	" "	- ditto - -	- 5 -
Henry Tayler - -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 15 -
Joseph Park - -	Marine-store dealer	- ditto - -	" "	- ditto - -	1 - -
John Chalkeley - -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 7 6
Catherine Ivett - -	- ditto - -	- ditto - -	" "	- ditto - -	- 10 -
William White - -	- ditto - -	- ditto - -	" "	- ditto - -	1 - -
Henry Pocock - -	Chandler - -	St. John - -	" "	- ditto - -	- 15 -
Edward Davis - -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 15 -
Thomas Hall - -	- ditto - -	- ditto - -	" "	- ditto - -	- 7 6
William Hatchford -	Chandler - -	- ditto - -	" "	- ditto - -	- 7 6
Mary Hanley - -	Marine-store dealer	- ditto - -	" "	- ditto - -	1 - -
Thomas Eadon - -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 5 -

COURT OF BURGESSES, WESTMINSTER—continued.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Mary Woods -	Tripe seller -	St. John -	7 Nov. 1867	First offence -	- 7 6
John Holmes -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
Henry Hillyer -	Butcher -	- ditto -	" "	- ditto -	- 5 -
James Bird -	Dairyman -	St. James -	" "	Second offence -	- 15 -
Hannah Roach -	Greengrocer -	- ditto -	" "	First offence -	- 10 -
Denis Mannix -	Coal dealer -	- ditto -	" "	- ditto -	- 7 6
John Durrant -	Baker -	- ditto -	" "	- ditto -	- 5 -
George Brooker -	Ham-and-beef seller -	St. Martin -	" "	- ditto -	- 7 6
William Eadon -	Greengrocer -	St. John -	" "	- ditto -	- 10 -
Charles Keats -	Coal dealer -	- ditto -	" "	- ditto -	- 7 6
Thomas Seeby -	Greengrocer -	- ditto -	" "	- ditto -	- 7 6
Richard Paton -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
Charles Simkins -	Eating-house keeper -	St. James -	" "	- ditto -	- 7 6
George Barton -	Chandler -	St. Anne -	" "	- ditto -	- 10 -
George Baina -	Provision dealer -	- ditto -	" "	- ditto -	- 10 -
Joseph Humphries -	Greengrocer -	- ditto -	" "	Second offence -	- 10 -
Abraham William Ling -	Baker -	- ditto -	" "	First offence -	- 5 -
James O'Mara -	Coal dealer, &c. -	St. James -	" "	- ditto -	1 - -
Sarah Mandry -	Coal dealer -	St. John -	" "	Second offence -	- 15 -
James Paris -	General dealer -	- ditto -	" "	First offence -	- 15 -
John Leavy -	Greengrocer -	- ditto -	5 Dec "	- ditto -	- 7 6
James Bicknell -	Chandler -	- ditto -	" "	- ditto -	- 10 -
George Wallis -	Corn chandler -	St. Martin -	" "	- ditto -	- 7 6
Henry Barnes -	Drysalter -	- ditto -	" "	- ditto -	- 10 -
John Meredith -	Chandler -	- ditto -	" "	- ditto -	- 10 -
Ralph Bodilly -	Grocer -	St. Margaret -	" "	- ditto -	- 5 -
George B. Boxhall -	Butcher -	St. George -	" "	- ditto -	- 10 -
Samuel Shepherd -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
James Curran -	Grocer -	- ditto -	" "	- ditto -	- 2 6
James Mayston -	Coal dealer -	- ditto -	" "	- ditto -	- 10 -
Josiah Burkett -	Butcher -	St. John -	" "	- ditto -	- 5 -
J. Hall -	- ditto -	St. George -	" "	- ditto -	- 10 -
Charles Thomas -	Marine-store dealer -	St. James -	" "	- ditto -	- 7 6
William Wykes -	Greengrocer -	- ditto -	" "	- ditto -	- 5 -

31, Abingdon-street, Westminster,
14 July 1868.

W. M. Trollope,
Town Clerk.

BEACONTREE DIVISION.—COUNTY OF ESSEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
William Tindall -	Beerhouse keeper -	West Ham -	10 Sept. 1867	First offence -	1 - -
William Cooper -	Greengrocer -	- ditto -	" "	- ditto -	2 - -
Joseph Vice -	- ditto -	- ditto -	" "	- ditto -	1 - -
David Lynn -	- ditto -	- ditto -	" "	- ditto -	5 - -
Charles Prudence -	Grocer -	- ditto -	" "	- ditto -	1 - -
John Brightmore -	Beerhouse keeper -	- ditto -	" "	- ditto -	3 - -
William Breed -	Pork dealer -	- ditto -	" "	- ditto -	1 - -
John Gardener Why-mark.	Beerhouse keeper -	- ditto -	" "	- ditto -	1 - -
John Clayton -	Innkeeper -	- ditto -	" "	- ditto -	1 - -
Thomas Thipthorpe -	Grocer -	- ditto -	" "	- ditto -	1 - -
Francis Blanchard -	Innkeeper -	- ditto -	" "	- ditto -	1 - -
Alfred Cox -	Greengrocer -	- ditto -	" "	- ditto -	1 - -
Ephraim James North -	Innkeeper -	- ditto -	" "	- ditto -	2 - -
George Newton -	- ditto -	- ditto -	" "	- ditto -	3 - -
Charles Trow -	Eating-house keeper -	- ditto -	" "	- ditto -	3 - -
Mary Thwaites -	Grocer -	- ditto -	" "	- ditto -	2 - -
Charles Hayward -	- ditto -	- ditto -	" "	- ditto -	1 - -
William Flinsdale -	Butcher -	- ditto -	" "	- ditto -	1 - -
James Tarnham -	Fishmonger -	- ditto -	" "	- ditto -	1 - -
Eliza Allum -	Grocer -	- ditto -	" "	- ditto -	- 10 -
Henry Evennett -	Corn dealer -	- ditto -	" "	- ditto -	1 - -
George Maltby -	Butcher -	East Ham -	" "	- ditto -	- 10 -

BEACONTREE DIVISION—COUNTY OF ESSEX—*continued.*

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Charles Johnson -	Greengrocer -	West Ham -	10 Sept. 1867	First offence -	- 10 -
Robert Nicholson Codling	Innkeeper -	- ditto -	" "	- ditto -	1 - -
Alexander Offey -	Greengrocer -	- ditto -	" "	- ditto -	2 - -
David Gynn -	Butcher -	- ditto -	" "	- ditto -	- 10 -
James Turner Brown -	Greengrocer -	- ditto -	" "	- ditto -	1 - -
James Wyatt -	Coffee-house keeper -	- ditto -	" "	- ditto -	1 - -
William Grover -	Butcher -	- ditto -	" "	- ditto -	1 - -
Sarah Millen -	General dealer -	- ditto -	" "	- ditto -	- 10 -
Mary Bloomfield -	Beerhouse keeper -	- ditto -	" "	- ditto -	2 - -
Reuben Huggedd -	Greengrocer -	- ditto -	" "	- ditto -	1 - -
Mathew Harwood -	Coal merchant -	- ditto -	" "	- ditto -	1 - -

BLACKHEATH DIVISION—COUNTY OF KENT.

DEPTFORD SUB-DISTRICT.

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether first or other Offence.	Amount of Fine.
						£. s. d.
1	William Cook -	Cheese monger -	St. Paul's -	27 Aug. 1867	First offence -	1 - -
2	James Watson -	Greengrocer -	St. Nicholas -	" "	- ditto -	- 10 -
3	William Moor -	- ditto -	- ditto -	" "	- ditto -	- 15 -
4	Edmond Payne -	Chandler's shop -	St. Paul's -	" "	- ditto -	- 10 -
5	Thomas Bland -	Butcher -	- ditto -	" "	- ditto -	1 - -
6	Robert Batho -	- ditto -	- ditto -	" "	- ditto -	1 10 -
7	Charles Sandford -	Greengrocer -	- ditto -	" "	- ditto -	- 5 -
8	John Keen -	Chandler's shop -	- ditto -	" "	- ditto -	2 - -
9	Edward Good -	- ditto -	St. Nicholas -	" "	- ditto -	- 5 -
10	Edward Clothier -	Baker -	St. Paul's -	" "	- ditto -	- 2 -
11	George Slate -	Chandler's shop -	- ditto -	" "	- ditto -	- 2 6
12	Dan Driskelb -	- ditto -	- ditto -	" "	- ditto -	1 10 -
13	John Sampson -	Baker -	- ditto -	" "	- ditto -	1 - -
14	John Edward Mugrove	Butcher and cheese-monger.	St. Nicholas -	" "	- ditto -	- 15 -
15	George Smith -	Baker -	St. Paul's -	" "	- ditto -	- 5 -
16	Thomas William Kelsey	- ditto -	St. Nicholas -	" "	- ditto -	2 - -
17	George Mathews -	Chandler's shop -	- ditto -	" "	- ditto -	- 5 -
18	William Binfield -	Baker -	St. Paul's -	" "	- ditto -	- 1 -
19	James Price -	- ditto -	St. Nicholas -	" "	- ditto -	2 - -
20	Henry Smith -	Coal dealer -	St. Paul's -	" "	- ditto -	- 2 6
21	Stephen Brown -	Chandler's shop -	- ditto -	" "	- ditto -	1 - -
22	William Parker -	Marine-store -	- ditto -	" "	- ditto -	- 5 -
23	Alfred Hyland -	Butcher -	- ditto -	" "	- ditto -	- 1 -
24	James Tutt -	Fishmonger -	- ditto -	" "	- ditto -	- 5 -
25	William Willson -	Greengrocer -	- ditto -	" "	- ditto -	1 - -
26	William Lucas -	Butcher -	- ditto -	" "	- ditto -	- 1 -
27	John Lucas -	Greengrocer -	- ditto -	" "	- ditto -	- 2 6
28	John Bratt -	Chandler's shop -	St. Nicholas -	" "	- ditto -	- 2 6
29	William Parris -	Greengrocer -	- ditto -	" "	- ditto -	- 5 -
30	William Rolfe -	Baker -	St. Paul's -	" "	- ditto -	1 10 -
31	James Taylor -	Greengrocer -	- ditto -	" "	- ditto -	- 10 -
32	James Taylor -	- ditto -	- ditto -	" "	- ditto -	- 10 -
33	William Hunt -	Costermonger -	- ditto -	" "	- ditto -	- 5 -
34	William Parsons -	Marine-store -	- ditto -	" "	- ditto -	- 10 -
35	John Franks -	- ditto -	- ditto -	" "	- ditto -	- 5 -
36	James Corráll -	Coal merchant -	St. Nicholas -	29 Aug.	- ditto -	5 - -
37	J. G. Robson & Co.	- ditto -	- ditto -	" "	- ditto -	5 - -
38	Joseph Carter -	Chandler's shop -	- ditto -	" "	- ditto -	- 5 -
39	Thomas Piper -	Baker -	- ditto -	" "	- ditto -	1 - -
40	Henry Warry -	Greengrocer -	St. Paul's -	" "	- ditto -	- 2 6
41	John Church -	- ditto -	St. Nicholas -	30 Sept.	- ditto -	- 5 -
42	Elizabeth East -	Tobacconist -	St. Paul's -	" "	- ditto -	1 10 -
43	Robert Stephenson -	Chandler's shop -	- ditto -	" "	- ditto -	- 10 -
44	Patrick MacDonnell	Baker -	- ditto -	" "	- ditto -	3 - -
45	Margaret Marshall -	Chandler's shop -	- ditto -	" "	- ditto -	- 2 6
46	Thomas Pay -	Baker -	St. Nicholas -	" "	- ditto -	1 10 -

* Obstructing Inspector.

BLACKHEATH DIVISION—COUNTY OF KENT—*continued.*DEPTFORD SUB-DISTRICT—*continued.*

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence	Amount of Fine.
						£. s. d.
47	James Cook - -	Greengrocer - -	St. Nicholas - -	30 Sept. 1867	First offence - -	- 10 -
48	H. William Smith - -	Chandler's shop - -	St. Paul's - -	" "	- ditto - -	1 - -
49	Alfred Sharp - -	Tallow chandler - -	ditto - -	" "	- ditto - -	5 - -
50	Co-operative Provision Store.	- -	ditto - -	" "	- ditto - -	5 - -
51	Isaac Leany - -	Coal dealer - -	ditto - -	" "	- ditto - -	- 2 6
52	John Daniels - -	Dealer - -	ditto - -	" "	- ditto - -	- 5 -
53	Lydia Knubb - -	Chandler's shop - -	ditto - -	" "	- ditto - -	- 2 6
54	William Muggeridge - -	Butcher - -	ditto - -	" "	- ditto - -	1 - -
55	Hood & Co. - -	Iron foundry - -	St. Nicholas - -	" "	- ditto - -	5 - -
56	John Bennett Lawes - -	Manure works - -	St. Paul's - -	" "	- ditto - -	5 - -
57	Henry Hunt - -	Butcher - -	St. Nicholas - -	" "	- ditto - -	1 - -
58	Lawrence Schwerer - -	Oil shop - -	St. Paul's - -	" "	- ditto - -	- 2 6
59	Francis Everson - -	Greengrocer - -	ditto - -	" "	- ditto - -	- 10 -
60	George Banks - -	Chandler's shop - -	ditto - -	" "	- ditto - -	- 10 -
61	Francis White - -	- ditto - -	ditto - -	" "	- ditto - -	1 - -
62	Frederick Hagmair - -	Baker - -	ditto - -	" "	- ditto - -	- 10 -
63	Josiah Haycraft - -	Ironmonger - -	ditto - -	" "	- ditto - -	1 - -
64	Parker & Co. - -	Grocers - -	St. Nicholas - -	" "	- ditto - -	- 10 -
65	Thomas Bland - -	Butcher - -	St. Paul's - -	" "	Second offence - -	5 - -
66	Edward Parkes - -	ditto - -	St. Nicholas - -	" "	First offence - -	- 10 -
67	Patrick McDonnell - -	Chandler's shop - -	St. Paul's - -	" "	Second offence - -	5 - -
68	William James Woolverton.	Butcher - -	ditto - -	" "	First offence - -	- 10 -
69	Thomas Scott - -	Iron foundry - -	ditto - -	" "	- ditto - -	3 - -
70	James Mallett - -	Baker - -	ditto - -	7 Nov. "	- ditto - -	- 5 -
71	John Smith - -	Chandler's shop - -	ditto - -	" "	- ditto - -	- 15 -
72	James Purdie - -	Fishmonger - -	St. Nicholas - -	" "	- ditto - -	- 5 -
73	Thomas Jones - -	Chandler's shop - -	St. Paul's - -	" "	- ditto - -	- 15 -
74	Samuel McClean - -	- ditto - -	St. Nicholas - -	" "	- ditto - -	- 1 -
75	Henry Thorowgood - -	Cheesemonger - -	St. Paul's - -	" "	- ditto - -	- 10 -
76	Christian Glock - -	Pork butcher - -	ditto - -	" "	- ditto - -	- 2 6
77	John Sexton - -	Marine-store - -	ditto - -	" "	- ditto - -	- 10 -
78	John Sexton - -	- ditto - -	ditto - -	" "	Second offence - -	- 10 -
79	Henry Butler - -	Greengrocer - -	ditto - -	" "	First offence - -	- 2 6
80	Thomas Wiffin - -	ditto - -	ditto - -	" "	- ditto - -	- 5 -
81	John James Parsons - -	Baker - -	St. Nicholas - -	" "	- ditto - -	- 5 -
82	Thomas Trenouth - -	Chandler's shop - -	St. Paul's - -	" "	- ditto - -	- 15 -
83	John Tunbridge - -	Baker - -	St. Nicholas - -	" "	- ditto - -	- 5 -
84	George Vincent - -	Chandler's shop - -	St. Paul's - -	" "	- ditto - -	1 - -
85	Joseph Manchtelow - -	Coal dealer - -	ditto - -	" "	- ditto - -	- 5 -
86	George Andrews - -	Chandler's shop - -	St. Nicholas - -	" "	- ditto - -	- 1 -
87	John Dixon - -	- ditto - -	St. Paul's - -	" "	- ditto - -	- 2 6
88	Grace Williams - -	Greengrocer - -	ditto - -	" "	- ditto - -	- 1 -
89	James Crew - -	Grocer - -	ditto - -	" "	- ditto - -	- 5 -
90	Thomas Pym - -	Marine-store - -	St. Nicholas - -	" "	- ditto - -	- 5 -
91	James Williams - -	Tobacconist - -	St. Paul's - -	" "	- ditto - -	- 6 -
92	John Williams - -	Butcher - -	St. Nicholas - -	" "	- ditto - -	- 5 -
93	Henry Butler - -	Greengrocer - -	St. Paul's - -	" "	Second offence - -	- 2 6
94	Elizabeth Phillips - -	Tobacconist - -	ditto - -	" "	First offence - -	- 10 -
95	George Long - -	Greengrocer - -	ditto - -	" "	- ditto - -	- 1 -
96	John Green - -	ditto - -	ditto - -	" "	- ditto - -	- 1 -
97	Thomas Rockliffe - -	Chandler's shop - -	ditto - -	" "	- ditto - -	- 5 -

GREENWICH SUB-DISTRICT.

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
						£. s. d.
1	J. Crow - -	Fishmonger - -	Greenwich - -	29 Aug. 1867	First offence - -	- 2 -
2	R. Matthews - -	Butcher - -	ditto - -	" "	- ditto - -	- 2 6
3	J. Glech - -	Pork butcher - -	ditto - -	" "	- ditto - -	- 5 -
4	John Sheve - -	Corn dealer - -	ditto - -	" "	- ditto - -	- 10 -
5	Alfred H. Memyard - -	Butcher - -	ditto - -	" "	- ditto - -	- 10 -
6	Andrew Carpenter - -	Grocer - -	ditto - -	" "	- ditto - -	1 - -
7	Thomas Smith - -	Baker - -	ditto - -	" "	- ditto - -	- 5 -

BLACKHEATH DIVISION—COUNTY OF KENT—*continued.*

LEWISHAM SUB-DISTRICT.

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
						£. s. d.
1	Elizabeth Eads	Grocer	Lee Bridge	29 Aug. 1867	First offence	1 - -
2	Charles Staite	- ditto	- ditto	" "	- ditto	- 10 -
3	William Pole	Butcher	West Kent Park	" "	- ditto	- 5 -
4	George Perry	Eating-house keeper	- ditto	" "	- ditto	- 5 -
5	Joseph Rivett	Grocer	Wells Road, Sydenham	" "	- ditto	- 15 -
6	Robert Harrison	Butcher	- ditto	" "	- ditto	- 10 -
7	John Foster	Grocer	- ditto	" "	- ditto	- 2 6
8	John Shove	Coal and corn merchant.	Lewisham	" "	- ditto	1 10 -
9	John Leeds	Greengrocer	High Road, Lee	" "	- ditto	1 - -
10	Alfred Skinner	Grocer	Church-street, Lee	" "	- ditto	- 1 -
11	Isaac Croucher	Greengrocer	Dacre-street, Lee	" "	- ditto	- 1 -
12	Richard Simmonds	Butcher	High-street, Eltham	" "	- ditto	- 10 -
13	Israel Benjamin	Marine-store dealer	Wells Road, Sydenham	30 Sept. "	- ditto	- 5 -
14	Alfred Roberts	Cowkeeper	- ditto	" "	- ditto	- 1 -
15	George Arnold	Greengrocer	- ditto	" "	- ditto	- 5 -
16	Thomas Till	Baker	Lewisham Bridge	" "	- ditto	- 2 6
17	Thomas Harris	Grocer	Lewisham High Road	" "	- ditto	- 1 -
18	Alexander Martin	Greengrocer	Silver-street, Lewisham	" "	- ditto	- 2 6
19	David Widdows	- ditto	Lewisham Road	" "	- ditto	- 5 -
20	David Davies	Grocer	Loampit Hill	" "	- ditto	- 10 -
21	Louisa Broadriff	Marine-store dealer	- ditto	" "	- ditto	- 1 -
22	George Walkling	Greengrocer	High Road, Lewisham	" "	- ditto	- 1 -
23	David Willoughby	Grocer	Forest Hill	" "	- ditto	2 - -
24	Alfred Tilly	- ditto	- ditto	" "	- ditto	- 1 -
25	Christian Lake	- ditto	Sydenham	" "	- ditto	- 1 -
26	William Turnpin	Butterman	- ditto	" "	- ditto	- 1 -
27	John Dean	Baker	Lewisham	" "	- ditto	- 10 -
28	Benjamin Bell	Grocer	King-street, Lewisham	" "	- ditto	- 5 -
29	Margaret Davis	Greengrocer	- ditto	" "	- ditto	- 1 -
30	George Pilcher	General dealer	- ditto	" "	- ditto	- 2 6
31	John Polly	Dairyman	Blackheath Village	" "	- ditto	- 10 -
32	John Morson	Baker	- ditto	" "	- ditto	- 2 6
33	Henry Stidoalph	Tobacconist	Forest Hill	" "	- ditto	- 2 6
34	James Worrell	Butcher	- ditto	" "	- ditto	- 1 -
35	William Pfeleger	Greengrocer	- ditto	" "	- ditto	- 1 -
36	Richard Fossett	- ditto	Bell Green	" "	- ditto	- 5 -
37	Henry Loveday	Butcher	- ditto	" "	- ditto	- 2 6
38	William Marshall	Ironmonger	Blackheath Village	" "	- ditto	- 10 -
39	Richard Morley	Confectioner	- ditto	" "	- ditto	- 5 -
40	Arthur Spackman	Oilman	- ditto	" "	- ditto	- 15 -
41	Samuel Payne	Fishmonger	- ditto	" "	- ditto	- 5 -
42	William Eaves	Greengrocer	Lee Green	" "	- ditto	- 10 -
43	Edward Eaves	- ditto	- ditto	" "	- ditto	- 10 -
44	Joseph Greenham	Eating-house keeper	Upper Sydenham	" "	- ditto	- 1 -
45	William Cox	Fishmonger	- ditto	" "	- ditto	- 1 -
46	George Phillips	Grocer	Sydenham	" "	- ditto	- 10 -
47	Stephen Hone	General dealer	South Road, Forest Hill	" "	- ditto	- 2 6
48	Ephraim Hancock	Baker	High Road, Lee	" "	- ditto	- 1 -
49	John Aldous	Ironmonger	- ditto	" "	- ditto	- 5 -
50	John Turner	General dealer	Mottingham	" "	- ditto	- 5 -
51	John Wallis	Ironmonger	Forest Hill	7 Nov. "	- ditto	- 5 -
52	Charles Rush	Butcher	Upper Sydenham	" "	- ditto	- 5 -
53	Vincent Bazeley	Greengrocer	- ditto	" "	- ditto	- 5 -
54	Henry White	- ditto	Forest Hill	" "	- ditto	- 2 6
55	Elizabeth Campbell	Licensed victualler	Lee Bridge	11 Jan. 1868	- ditto	1 - -
56	George Holmes	- ditto	Lewisham Road	" "	- ditto	1 - -
57	Edward Moore	- ditto	Blackheath Village	" "	- ditto	- 10 -
58	Digory Weeks	Beer retailer	Blackheath Bridge	" "	- ditto	- 5 -
59	Henry Cooper	Grocer	Lee Road	" "	- ditto	- 2 6
60	Henry Floyd	Licensed victualler	Lewisham Bridge	" "	- ditto	- 10 -
61	Robert Wm. Fulford	- ditto	Forest Hill	" "	- ditto	- 2 -
62	Frederick Redwood	Greengrocer	Wells Road, Sydenham	" "	- ditto	- 10 -
63	David Elliott	Beer retailer	- ditto	" "	- ditto	- 10 -

BLACKHEATH DIVISION—COUNTY OF KENT—*continued.*

WOOLWICH SUB-DISTRICT.

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
1	John Allbury -	Butcher -	Plumstead -	10 Aug. 1867	First offence	£. s. d.
2	Henry Oliver -	Wood and coal dealer -	ditto -	" "	ditto -	- 1 -
3	Frederick Marsh -	General dealer -	ditto -	" "	ditto -	- 2 6
4	John Jeffcock -	Grocer -	ditto -	" "	ditto -	- 1 -
5	Charles Maidment -	Cheesemonger -	ditto -	" "	ditto -	- 2 6
6	William Best -	Greengrocer -	ditto -	" "	ditto -	- 2 6
7	Charles Chadwell -	ditto -	ditto -	" "	ditto -	- 1 -
8	George Wheeler -	Pork butcher -	Woolwich -	" "	ditto -	- 5 -
9	Thomas Florence -	Greengrocer -	ditto -	" "	ditto -	- 2 6
10	George Ling -	ditto -	ditto -	" "	ditto -	- 1 -
11	William West -	Grocer -	ditto -	" "	ditto -	- 2 6
12	George Cumbers -	Butcher -	ditto -	" "	ditto -	- 5 -
13	Henry Gowenlock -	Marine-store dealer -	Plumstead -	" "	ditto -	- 1 -
14	Thomas Appleton -	General dealer -	Woolwich -	29 Aug.	ditto -	- 1 -
15	Frederick Whitaker -	Greengrocer -	ditto -	" "	ditto -	- 8 -
16	Joseph Malins -	ditto -	ditto -	" "	ditto -	- 5 -
17	Thomas Mayhew -	Eating-housekeeper -	ditto -	" "	ditto -	- 2 6
18	Rumold Eisele -	General dealer -	ditto -	" "	ditto -	- 5 -
19	John Glock -	Butcher -	ditto -	" "	ditto -	- 5 -
20	George Semon -	Marine-store dealer -	Plumstead -	" "	ditto -	- 5 -
21	James Pearce -	Greengrocer -	Woolwich -	" "	ditto -	- 10 -
22	John Smith -	ditto -	ditto -	" "	ditto -	- 2 6
23	Alfred Boorman -	Grocer -	Plumstead -	" "	ditto -	- 10 -
24	Thomas Loadder -	Fishmonger -	ditto -	" "	ditto -	- 1 -
25	William Hatcher -	Greengrocer -	Woolwich -	" "	ditto -	- 10 -
26	Thomas Weeden -	Baker -	Plumstead -	" "	ditto -	- 2 6
27	George Potter -	General dealer -	ditto -	" "	ditto -	- 10 -
28	Alfred Stacey -	Marine store dealer -	ditto -	" "	ditto -	- 5 -
29	Benjamin Blunden -	Greengrocer and coal dealer.	ditto -	" "	ditto -	*2 - -
30	George Crome -	General dealer -	ditto -	" "	ditto -	- 1 -
31	Susannah Bettinson -	ditto -	Woolwich -	" "	ditto -	- 2 6
32	Henry Fleming -	ditto -	Charlton -	" "	ditto -	- 5 -
33	James Francis -	Greengrocer -	Woolwich -	" "	ditto -	- 1 -
34	Jane Heath -	General dealer -	ditto -	" "	ditto -	- 1 -
35	Anni Stevenson -	Beerseller -	ditto -	" "	ditto -	- 2 6
36	William Durnford -	General dealer -	ditto -	" "	ditto -	- 2 6
37	John Godden -	Greengrocer -	ditto -	" "	ditto -	- 5 -
38	William Kean -	Costermonger -	ditto -	" "	ditto -	- 5 -
39	James Edwin Elliott -	ditto -	ditto -	" "	ditto -	- 1 -
40	Charles Dagnell -	ditto -	ditto -	" "	ditto -	- 2 6
41	George Letton -	Greengrocer -	ditto -	" "	ditto -	- 2 6
42	George Baker (Woolwich Coal Society)	Secretary -	ditto -	1 Oct.	ditto -	1 10 -
43	John Hawley -	Beerseller -	ditto -	" "	ditto -	- 1 -
44	Henry Wright -	ditto -	Plumstead -	" "	ditto -	- 5 -
45	Ralph Harvey & Brothers.	Grocers and cheesemongers.	Woolwich -	" "	ditto -	- 5 -
46	James Cook -	Greengrocer -	Plumstead -	" "	ditto -	- 2 6
47	Thomas Vodden Day -	Beerseller -	ditto -	" "	ditto -	- 10 -
48	William George Smith -	Licensed victualler -	ditto -	" "	ditto -	- 5 -
49	Thomas Harden -	Butcher -	Woolwich -	" "	ditto -	- 5 -
50	Thomas Sloan -	General dealer -	ditto -	" "	ditto -	- 5 -
51	Alexander and Edgar Hunter.	Coal merchants -	ditto -	" "	ditto -	1 10 -
52	Alfred Nye -	Baker -	ditto -	" "	ditto -	- 1 -
53	James Carey -	Greengrocer -	ditto -	" "	ditto -	2 - -
54	William Homes -	Beerseller -	ditto -	" "	ditto -	- 2 6
55	Thomas Dearsley -	Corn and coal dealer -	ditto -	" "	ditto -	- 10 -
56	Elizabeth Reavile -	General dealer -	ditto -	" "	ditto -	- 10 -
57	William Spratt -	Greengrocer and coal dealer.	Plumstead -	" "	ditto -	- 5 -
58	Leonard Scoones -	Beerseller -	Woolwich -	" "	ditto -	- 1 -
59	Israel Davies -	Licensed victualler -	Plumstead -	" "	ditto -	- 5 -
60	John Black -	Grocer -	Woolwich -	" "	ditto -	1 - -
61	William Hellyer -	Marine-store dealer -	ditto -	" "	ditto -	- 10 -
						- 2 6

* Shifting balance.

BLACKHEATH DIVISION—COUNTY OF KENT—*continued.*WOOLWICH SUB-DISTRICT—*continued.*

No.	NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
						£. s. d.
62	Moses Couch -	General dealer -	Charlton -	1 Oct. 1867	First offence -	1 - -
63	William George Brown	Greengrocer -	Plumstead -	" "	- ditto -	- 2 6
64	Walter Lomax -	Licensed victualler,	- ditto -	" "	- ditto -	- 5 -
65	Warren Nathan -	General dealer -	- ditto -	" "	- ditto -	1 - -
66	John Wright -	Greengrocer -	Woolwich -	" "	- ditto -	- 1 -
67	James Herring	Dairyman and greengrocer.	- ditto -	" "	- ditto -	*- 15 -
68	Abraham Knight	Butcher -	- ditto -	" "	- ditto -	- 10 -
69	Ann Carr -	Cheesemonger -	- ditto -	7 Nov. "	- ditto -	- 10 -
70	George Hudson	Grocer and cheesemonger.	Plumstead -	" "	- ditto -	- 1 -
71	John Francis -	Greengrocer and coal dealer.	- ditto -	" "	- ditto -	*- 15 -
72	James Coulson	Marine-store dealer	- ditto -	" "	- ditto -	- 2 -
73	Stephen Garrett	General dealer -	Woolwich -	" "	- ditto -	1 - -
74	James Willey -	- ditto -	- ditto -	" "	- ditto -	- 2 6
75	Augustus Flicker	Beerseller -	Plumstead -	" "	- ditto -	- 2 -
76	Harriett Poole -	General dealer -	Woolwich -	" "	- ditto -	- 5 -
77	William Allen -	Tobacconist -	- ditto -	" "	- ditto -	- 1 -
78	Charles Tyler -	Beerseller -	- ditto -	" "	- ditto -	- 2 6
79	Charles Ellis -	Licensed victualler	- ditto -	" "	- ditto -	- 10 -
80	John Randell -	Marine-store dealer	- ditto -	" "	- ditto -	- 2 6
81	John Lancaster	Butcher -	Plumstead -	" "	- ditto -	- 5 -
82	Thomas West -	Beerseller -	Woolwich -	" "	- ditto -	- 2 -
83	Mary Hussey -	General dealer -	- ditto -	" "	- ditto -	- 10 -
84	William Read -	Licensed victualler	- ditto -	" "	- ditto -	- 2 -
85	Edward Chadwick	Grocer -	Plumstead -	" "	- ditto -	- 10 -
86	George King -	Greengrocer -	Woolwich -	" "	- ditto -	- 2 -
87	Benjamin Hills & Co.	Candle manufacturer	- ditto -	" "	- ditto -	- 2 6
88	John Key -	Beerseller -	- ditto -	" "	- ditto -	- 1 -
89	James West -	Eating-house keeper	- ditto -	" "	- ditto -	- 10 -
90	Mary Winn -	Baker -	- ditto -	" "	- ditto -	- 1 -
91	Abraham Knight, jun.	Butcher -	- ditto -	" "	- ditto -	- 1 -
92	Michael Donovan	Eating-house keeper	- ditto -	" "	- ditto -	- 2 6
93	William Topley -	Cheesemonger -	- ditto -	" "	- ditto -	- 2 6
94	Margaret Riordan	General dealer -	- ditto -	" "	- ditto -	- 10 -

* Shifting balance.

Croom's Hill, Greenwich, S.E.
16 July 1868.Charles A. Smith & Son,
Clerks to the Justices.

BRENTFORD DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Thomas William Bradbury	Grocer -	Ealing -	14 Sept. 1867	First offence -	- 10 -
Jesse Bullock -	Fishmonger -	- ditto -	" "	- ditto -	- 5 -
Thomas Deacon -	General dealer, and beerseller.	- ditto -	" "	Second offence -	2 5 -
Edward Taylor -	Grocer -	Twickenham -	" "	First offence -	- 10 -
Edward Taylor -	- ditto -	- ditto -	" "	- ditto -	- 10 -
John Crease -	- ditto -	- ditto -	" "	- ditto -	- 1 -
Henry Ruff -	Fishmonger -	- ditto -	" "	- ditto -	- 1 -
John Watts -	Grocer -	Hounslow -	" "	- ditto -	1 - -
Alfred Frederick Nichols	Farmer -	Heston -	" "	- ditto -	- 10 -
Mary Ann Anderson	General dealer -	Hounslow -	12 Oct. "	- ditto -	1 - -
Mary Ann Anderson	- ditto -	- ditto -	" "	Second offence -	1 - -
William Bamford -	Baker -	Twickenham -	" "	First offence -	- 9 -
John Hatcher -	Grocer and beerseller	Hounslow barracks	" "	- ditto -	2 10 -
John Hatcher -	- ditto -	- ditto -	" "	Second offence -	2 10 -
Samuel Harry Lenny	Hay contractor -	- ditto -	" "	First offence -	1 - -
William Banister -	Greengrocer -	Hounslow -	" "	- ditto -	- 1 -
Thomas Butler -	Beerseller -	- ditto -	" "	- ditto -	1 - -
Charles Jefferys and William Warrick.	Confectioners -	- ditto -	" "	- ditto -	- 5 -
James Wilson -	Beerseller -	- ditto -	" "	- ditto -	- 5 -
Robert McKay -	Baker -	Brentford market, New Brentford.	7 Dec. "	- ditto -	- 10 -
Robert McKay -	- ditto -	- ditto -	" "	Second offence -	- 10 -
Thomas Pearce -	Butcher -	Southall, Norwood	" "	First offence -	- 10 -
Elizabeth Jacobs -	Grocer -	Isleworth -	" "	- ditto -	- 10 -

Jno. Rasson, Clerk to the Justices.

BROMLEY DIVISION—COUNTY OF KENT.

NONE of the parishes within the Petty Sessional Division of Bromley, of which I am the clerk to justices, is within the Metropolis as defined by the Metropolis Local Management Act, although some of the parishes of the division are within the Metropolitan Police District.

Under these circumstances I apprehend this division is not within the terms of the return asked for, but shall be glad of further instructions thereon.

25 April 1868.

Robinson Latter,
Clerk to Justices.

CROYDON DIVISION—COUNTY OF SURREY.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Joseph Westall -	Grocer - -	Mitcham - -	24 Aug. 1867	First offence -	- 10 -
Henry Harwood -	Baker - -	- ditto - -	2 Nov. "	- ditto - -	- 10 -
John Stacey - -	Beerseller - -	- ditto - -	" "	- ditto - -	1 - -

25 April 1868.

John Drummond,
Clerk to the Justices.

DARTFORD—UPPER DIVISION OF SUTTON-AT-HOWE—COUNTY OF KENT.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
George South - -	General dealer -	Erith - - -	28 Sept. 1867	Yes - - -	- 10 -
William Baker - -	Grocer - - -	ditto - - -	" "	ditto - - -	1 - -
Richard Longhurst -	General dealer -	ditto - - -	" "	ditto - - -	- 5 -

John Hayward, Clerk.

DIVISIONS OF EDMONTON (COUNTY OF MIDDLESEX)—CHESHUNT (COUNTY OF HERTFORD)—AND WALTHAM ABBEY (COUNTY OF ESSEX).

— Nil. —

J. F. Jessopp,
Clerk to the Justices.

ENFIELD DIVISION—COUNTY OF MIDDLESEX.

— Nil. —

John Purdey, Clerk.

EPSOM DIVISION—COUNTY OF SURREY.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Joseph Twilling -	Butcher - -	Sutton - -	22 July 1867	First offence -	3 - -
William Niblett -	Beerhouse keeper -	- ditto - -	" "	- ditto - -	- 2 6
William J. Loveland -	Grocer - -	- ditto - -	29 July "	- ditto - -	- 1 -
Henry Graham -	- ditto - -	Epsom - -	26 Aug. "	- ditto - -	1 - -
Henry Hipwell -	Coal dealer - -	Cheam - -	" "	- ditto - -	1 - -
Charles Young -	Grocer - -	Epsom - -	30 Sept. "	- ditto - -	2 - -

8 May 1868.

Henry T. Aveline,
Clerk to the Justices.

GORE DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
					£. s. d.
Charles Holton -	Butcher - -	Harrow - -	4 Sept. 1867	First offence -	1 15 -
Robert Smith -	Grocer - -	Harrow Weald -	" "	- ditto - -	- 4 -
George Massey -	Beerhouse keeper -	- ditto - -	" "	- ditto - -	- 5 -
Benj. Anderson -	Grocer - -	Harrow - -	" "	- ditto - -	- 5 -
John Meens -	- ditto - -	- ditto - -	" "	- ditto - -	- 5 -
Charles King -	Beerhouse keeper -	- ditto - -	" "	- ditto - -	- 14 -
John W. Bliss -	Victualler - -	- ditto - -	" "	Second offence -	1 10 -
Ann Quilton -	Beerhouse keeper -	- ditto - -	" "	- ditto - -	- 10 -
T. Savage -	Fishmonger - -	- ditto - -	" "	First offence -	- 4 -
Charles F. Green -	Butcher - -	- ditto - -	" "	- ditto - -	- 10 -
John Troke -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 4 -
William Ashby -	Beerseller - -	- ditto - -	" "	- ditto - -	2 - -
William Hewington -	Grocer - -	- ditto - -	" "	- ditto - -	- 5 -
Joseph Colyer -	Greengrocer - -	- ditto - -	" "	- ditto - -	- 10 -
Thomas Sibley -	Beerseller - -	- ditto - -	" "	Second offence -	1 - -
W. P. Warner -	Victualler - -	- ditto - -	9 Oct. "	First offence -	- 4 -
Edward Coates -	- ditto - -	- ditto - -	" "	- ditto - -	2 - -
Henry Halsey -	- ditto - -	Little Stanmore -	" "	- ditto - -	- 7 6
Henry Jeffery -	- ditto - -	Edgware - -	" "	- ditto - -	- 5 -
George Wise -	Grocer - -	- ditto - -	" "	- ditto - -	1 10 -
B. M. Hocking -	Victualler - -	Hendon - -	" "	- ditto - -	- 5 -
Benj. Matthews -	Grocer - -	- ditto - -	" "	- ditto - -	1 - -

4 May 1868.

William S. Tootell,
Clerk to Justices.

HAMPSTEAD DIVISION—COUNTY OF MIDDLESEX.

— Nil. —

24 June 1868.

Thomas Bridger,
Clerk of the Petty Sessions.

KINGSTON DIVISION—COUNTY OF SURREY.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
Eliza Simmonds -	Grocer -	West Moulsey -	28 Aug. 1868	First offence -	£. s. d. 1 - -
George Royer -	Publican -	Moulsey -	" "	Second offence -	2 - -
Thomas Henry Dock -	Grocer -	- ditto -	" "	First offence -	1 - -
Thomas Neville -	Butcher -	Kingston -	5 Dec. "	- ditto -	- 7 6

James Bell, Clerk to the Justices,
per *Thomas Weaver*p.

KINGSTON-UPON-THAMES DIVISION—COUNTY OF SURREY.

No Return received, notwithstanding repeated applications.

RICHMOND DIVISION—COUNTY OF SURREY.

— Nil —

30 April 1868.

W. Chapman,
Clerk of Petty Sessions.

SOUTH MIMMS DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
Charles Deakin -	Publican -	South Mimms -	9 Dec. 1867	First offence -	£. s. d. 1 - -
Eliza Hibbert -	- ditto -	Hadley -	" "	- ditto -	1 10 -
George Ogles -	Grocer -	- ditto -	" "	- ditto -	5 - -
Harriet Archer -	Publican -	South Mimms -	" "	- ditto -	3 2 -
Charles Jones -	- ditto -	- ditto -	" "	- ditto -	2 5 -
Henry Purcell -	- ditto -	- ditto -	" "	- ditto -	1 10 -

SPELTHORNE DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
George Pugh -	Publican -	Stanwell -	25 Nov. 1867	Unknown -	£. s. d. - 8 -
Robert Luff -	Baker -	Feltham -	" "	- ditto -	- 8 -
George Carter -	Grocer -	- ditto -	" "	- ditto -	- 5 -
George Spong -	ditto -	- ditto -	" "	- ditto -	1 - -
Henry Baker -	Publican -	Staines -	" "	- ditto -	1 - -
James Purfield -	- ditto -	Hampton -	" "	- ditto -	- 10 -

Randolph Hy. Horne, Clerk.

LIBERTY OF THE TOWER OF LONDON—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
Henry Hittenger -	Baker - - -	Liberty of Wellclose	29 Oct. 1867	Second offence -	£. s. d. - 10 -
Mark Charing -	Piece broker -	Liberty of Old Artillery.	" "	First offence -	- 15 -
Charles Gadsden and Benjamin Gadsden.	Ironmonger -	- ditto - -	" "	- ditto - -	- 5 -
Thomas Simons -	Eating-housekeeper	Minories - -	" "	- ditto - -	- 10 -
John Pinnell -	Oilman - - -	- ditto - -	" "	- ditto - -	1 - -
Hannah Harris -	Tobacconist -	St. George, East -	" "	- ditto - -	- 5 -
Henry Ficken -	Victualler - -	Liberty of Tower -	" "	- ditto - -	- 10 -
Robert Vincent -	- ditto - - -	Holy Trinity -	" "	- ditto - -	- 10 -

I certify the above to be a true return of all persons convicted for using false weights and measures within this Liberty between the 1st day of July 1867 and the 1st day of January 1868.

G. C. H. Lewis, Clerk to the Justices.

UXBRIDGE DIVISION—COUNTY OF MIDDLESEX.

NAME OF OFFENDER.	Trade.	Parish.	Date of Conviction.	Whether First or other Offence.	Amount of Fine.
John Watson - -	Beerseller - -	Northolt - -	16 Sept. 1867	First offence -	£. s. d. - 17 6
James Ratcliff -	Butcher - - -	Hillingdon - -	" "	- ditto - -	- 10 -
Owen Bishop - -	Beerseller - -	ditto - - -	" "	- ditto - -	1 2 6
William Dealey	Fruiterer - - -	Uxbridge - -	" "	- ditto - -	- 10 -
John Gray - - -	Licensed victualler	ditto - - -	" "	- ditto - -	- 12 6
Thomas Hinds -	Beerseller - -	Hillingdon - -	" "	- ditto - -	- 12 6
James Starnes -	Oilman - - -	Harmondsworth -	" "	- ditto - -	- 10 -
James Brown - -	Beerseller - -	Hillingdon - -	" "	- ditto - -	2 - -

25 April 1868.

Woodbridge & Son,
Clerks to Justices.

WEIGHTS AND MEASURES (METROPOLIS).

RETURN of the Number of Persons in the
METROPOLITAN PARISHES Convicted, between
1 July 1867 and 1 January 1868, of using
False WEIGHTS and MEASURES; stating
Name, Trade, and Parish of Offender; Date
of Conviction; whether First or subsequent
Offence; Amount of Fine.

(*Lord Eustace Cecil.*)

*Ordered, by The House of Commons, to be Printed,
28 July 1868.*

CONSTABULARY (CORNWALL).

RETURN to an Address of the Honourable The House of Commons,
dated 15 June 1868 ;—for,

“RETURN, in the Form annexed, of the CORNWALL STATION HOUSES and STRONG ROOMS.”

CORNWALL STATION HOUSES AND STRONG ROOMS.

NAMES OF STATIONS.	Names of Owners of whom Site was Purchased, or is Rented.	Total Cost of Site, Solicitor's Charges, Labour, Buildings, Architect, and Clerk of Works.	Finished or Unfinished.	Cost of Furniture.	Annual or other Rent Paid by the Occupier.	Number Stationed at on Lady Day 1868 of			REMARKS.
						Constables (saying Married or Single).	Horses.	Carts.	
		£. s. d.		£. s. d.					
Blue Anchor -	G. F. Remfry, Esq. -	680 5 9	Finished	- - -	Superintendents and Inspectors occupy Stations rent-free; married Sergeants and Constables pay 2 s. per week rent; and single Sergeants and Constables pay 1 s. per week rent.	1 M.	-	-	Solicitor's and architect's charges, but no Station erected.
Bodmin -	Ralph Cole, and Trustees of Lady Molesworth.	4,630 1 -	"	*137 5 6		7 M.	5 S.	3	
Callington -	J. Brendon - - -	1,604 9 -	"	11 - 3½		2 M.	1 S.	-	
Camborne -	C. Reynolds, Esq. -	160 5 11	"	17 11 8		4 M.	3 S.	1	
Falmouth -	Messrs. Crouch and others	1,593 13 8	"	18 6 8		2 M.	3 S.	-	
Hayle -	- - - -	33 4 6	-	- - -		1 M.	1 S.	-	
Menheniot -	Rev. T. Honey - -	825 13 5½	"	10 2 9		2 M.	-	-	
Padstow -	N. Oliver - - -	667 19 6	"	5 12 9½		1 M.	1 S.	-	
Pool -	J. F. Bassett, Esq. -	836 14 9	"	9 2 9½		2 M.	1 S.	-	
Redruth -	- - - -	- - -	-	- - -		2 M.	1 S.	-	No Station erected.
St. Austell -	Mr. and Mrs. Drew -	1,347 13 10	"	13 3 10		3 M.	1 S.	-	
St. Cleer -	Rev. H. Rogers - -	815 13 5½	"	10 2 9½		2 M.	-	-	Site purchased, but no Station erected.
St. Columb -	R. Johns - - -	1,268 6 2	"	11 5 4		2 M.	1 S.	-	
St. Germans -	Earl St. Germans -	1,281 18 1	"	13 19 4		3 M.	1 S.	2	
Stratton -	Lord J. Thynne - -	1,102 9 -	"	11 14 2		2 M.	-	-	
Torpoint -	W. P. Carew, Esq. -	801 15 -	"	11 2 8		2 M.	-	-	
Tregony -	J. Dunstone - - -	110 13 10	-	- - -		2 M.	-	-	
Tywardreath -	J. F. Bassett, Esq. -	516 1 5	"	4 18 -		2 M.	-	-	
Wadebridge -	Trustees of Lady Molesworth.	1,200 6 11	"	11 5 -		2 M.	1 S.	-	

* This item includes the cost of bedsteads, bedding, cooking utensils, &c., for 12 single Constables, as well as furniture and office fittings for the offices of the Chief Constable and Police Committee for the last 11 years.

W. R. Gilbert, Chief Constable of Cornwall.

CONSTABULARY (CORNWALL).

RETURN relating to the CORNWALL STATION
Houses and Strong Rooms.

(Mr. Wyld.)

*Ordered, by The House of Commons, to be Printed,
29 July 1868.*

METROPOLITAN POLICE.

1867-8.

A C C O U N T S

SHOWING THE

SUMS RECEIVED AND EXPENDED

FOR THE PURPOSES OF THE

METROPOLITAN POLICE, POLICE SUPERANNUATION FUND,

PUBLIC CARRIAGES, AND POLICE COURTS,

Between the 1st January 1867 and 31st March 1868.

[The date to which the Annual Accounts of the Metropolitan Police are to be made up having been changed, by Act 30 & 31 Vict. c. 39, from 31st December to 31st March, in order to bring them within the Financial Year, the present Account embraces exceptionally a period of 15 months.]

(PRESENTED PURSUANT TO ACT OF PARLIAMENT.)

Ordered, by The House of Commons, to be Printed,
5 May 1868.

1.—AN ACCOUNT of the RECEIPT and EXPENDITURE for the Service of the

To Balance on the 1st January 1867	-	-	-	-	-	-	-	-	£.	s.	d.
									90,504	10	6
Amount received from											
	Parishes.			Her Majesty's Treasury.							
	£.	s.	d.	£.	s.	d.					
To Receipts on Rate Warrants prior to 1 January 1867	16,774	4	1	15,783	7	5					
To Receipts on Rate Warrants issued between the 1st of January 1867 and the 31st March 1868, the particulars of which are detailed according to the provisions of the 20th section of the Act. 10 Geo. 4, c. 44, in Appendix (A.), pages	539,301	15	6	136,980	-	-					
							708,839	7	-		
To Receipts out of the Vote of Parliament, per Act 2 & 3 Vict. c. 47, and 17 & 18 Vict. c. 94; viz.:											
1st.—To defray the increased Charge of the Metropolitan Police, arising from the addition of the duties of the Horse Patrol and Thames Police	-	-	-	20,629	11	6					
2d.—To defray the Charge of Superannuation Allowances to Officers and Constables, late of the Bow-street Foot Patrol and Thames Police	-	-	-	2,000	-	-					
							22,629	11	6		
To Amounts issued out of the Vote of Parliament for the Salaries of the Commissioner, and two Assistant Commissioners of Police, under the authority of the Acts 17 & 18 Vict. c. 94, and 19 Vict. c. 2, s. 3	-	-	-	3,875	-	-	3,875 - -				
To Amount issued out of the Vote of Parliament for the Salary of the Receiver, under the Acts 30 & 31 Vict. c. 39, s. 2, and 17 & 18 Vict. c. 94	-	-	-	1,250	-	-	1,250 - -				
To Amounts issued out of the Vote of Parliament to defray the Charge of Superannuation Allowances to Clerks, &c., under the authority of the 2 & 3 Vict. c. 47, and 17 & 18 Vict. c. 94	-	-	-	1,768	-	-	1,768 - -				
TOTAL Sum received from the Parishes and the Treasury respectively	£.	556,075	19 7	182,285	18	11					
Receipts carried forward	-	-	-	£.	828,866	9	-				

METROPOLITAN POLICE, between the 1st of January 1867, and the 31st of March 1868.

By EXPENDITURE, under the following Heads:		£.	s.	d.	£.	s.	d.
I.—OFFICE EXPENSES:							
By Salaries and Allowances, Commissioner's Office:	£. s. d.						
One Commissioner, at £. 1,500 per annum - - -	1,875 - -						
An Allowance to ditto for House-rent - - -	381 5 -						
An Allowance to ditto for keep of a Horse, at £. 63 per annum - - -	63 - -						
Two Assistant Commissioners, at £. 800 per annum each - - -	2,000 - -						
Eight Clerks, at Salaries varying from £. 90 to £. 510 per annum; the remainder of their Salaries, amounting to £. 222 9. 4., charged to Public Carriage Department (<i>vide p. 9</i>) - - -	1,621 3 7						
Police Officers employed as Assistant Clerks, pay and allowances varying from £. 65 to £. 300 per annum - - -	2,804 5 3						
					8,744	13	10
Salaries and Allowances, Receiver's Office:							
One Receiver, at £. 1,200 per annum - - -	1,392 7 9						
An Allowance to ditto, for keep of a Horse, at £. 63 per annum - - -	63 - -						
Six Clerks, at Salaries varying from £. 90 to £. 550 per annum, the remainder of the Salaries (£. 75) charged to Public Carriage Account (<i>vide p. 9</i>); and one Assistant Clerk at £. 180 per annum, including £. 81. 5. received as Collector, under the head of Dangerous Structures - - -	2,176 2 6						
One Surveyor, at £. 350 per annum; the remainder of his Salary (£. 200) charged under the head of Dangerous Structures (<i>vide p. 7</i>), and one Assistant ditto, at £. 210 per annum - - -	704 2 2						
One Temporary Draughtsman, at £. 3 per week - - -	151 11 -						
One Clerk of the Works, at £. 250 per annum - - -	300 - -						
One assistant ditto at £. 3. 3s. per week to 9th March 1867, the other for the remainder of the period at £. 2 per week - - -	150 14 9						
One Storekeeper, at £. 150 per annum - - -	187 10 -						
One Assistant ditto, at £. 91 per annum - - -	113 15 -						
Two Tailors, and two Assistant Tailors, at £. 1. 10. per week each - - -	219 - -						
					5,458	3	2
Pay of Office-keeper - - -	146 5 -						
An Allowance for Six Charwomen and One Man - - -	332 7 3						
					478	12	3
Office Rent, Taxes, Repairs, &c.:							
Rent of Nos. 4 and 5, Whitehall-place, and Great Scotland-Yard - - -	1,120 4 7						
Rates and Taxes of ditto - - -	149 13 4						
Furniture and Repairs - - -	229 11 -						
					1,499	8	11
Fuel and Light:							
Coals - - -	97 15 -						
Oil and Gas - - -	170 4 2						
					267	19	2
Books, Printing, and Stationery - - -	- - -						
Stamps - - -	- - -				3,540	18	2
Postage - - -	- - -				14	7	6
Travelling Expenses - - -	- - -				403	12	4
Newspapers and Advertisements - - -	- - -				373	11	5
Washing Towels, sweeping Chimneys, cleaning Offices, and other small Contingencies - - -	- - -				492	10	-
					376	6	-
					21,650	2	9
II.—LAW CHARGES:							
By Payments for Criminal Prosecutions, drawing Leases, &c. - - -	- - -				2,735	-	7
Payments carried forward - - - £.					24,385	3	4

1.—AN ACCOUNT of the RECEIPT and EXPENDITURE for the Service of the

	£.	s.	d.	£.	s.	d.
Receipts brought forward - -	-	-	-	828,866	9	-
To Amounts received for Special Services of the Police:	£.	s.	d.			
At Osborne House, Isle of Wight - - - -	266	18	5			
- Board of Trade, Geological Museum - - -	426	1	5			
- Ditto - - - Museum of Science and Art - -	4,080	8	-			
- Ditto - - - Office for the Registry of Merchant Seamen - - - -	102	13	2			
- Ditto - - - National Portrait Gallery, South Kensington - - -	241	12	-			
- British Museum - - - - -	1,505	2	6			
- Commissioners of Works, Houses of Parliament -	1,803	7	1			
- Ditto - - - Royal Botanic Gardens, Kew -	408	4	4			
- Ditto - - - Lord Chancellor's Entrance (House of Lords) - - -	177	18	11			
- Ditto - - - Chelsea College - - - -	266	18	5			
- Ditto - - - Chelsea Bridge - - - -	168	13	11			
- Ditto - - - Hampton Court Palace - - -	545	3	4			
- Ditto - - - Kennington Park - - - -	324	18	7			
- Ditto - - - Westminster Bridge - - - -	211	18	1			
- Ditto - - - Bushy Park - - - -	36	11	8			
- Brompton Cemetery - - - - -	23	16	7			
- Custom House - - - - -	950	-	-			
- Exhibition of Designs - - - - -	67	4	7			
- Greenwich Park - - - - -	10	12	1			
- Gresham House - - - - -	16	1	6			
- Great Seal Office - - - - -	323	5	9			
- India Office - - - - -	137	-	7			
- Ditto - Museum - - - - -	377	1	6			
- Ditto - Stores - - - - -	541	6	9			
- Ditto - Hospital - - - - -	119	18	6			
- Inland Revenue - - - - -	1,763	2	10			
- Ditto - - - Checking Duties on Metropolitan Stage Carriages - - -	657	5	10			
- National Gallery, Trafalgar-square - - -	1,122	13	2			
- Ditto - - - South Kensington - - -	324	18	7			
- National Portrait Gallery - - - -	60	16	9			
- Patent Museum, South Kensington - - -	88	19	5			
Receipts carried forward - - - £.	17,150	14	3	-	-	-
				828,866	9	-

METROPOLITAN POLICE, between the 1st January 1867, and the 31st March 1868—continued.

	£.	s.	d.	£.	s.	d.
Payments brought forward - - -	-	-	-	24,385	3	4
III.—PAY, CLOTHING, AND EQUIPMENT OF THE POLICE FORCE:						
By Salaries of Superintendents of Police :						
One Inspecting Superintendent, at £. 600 per annum -	750	-	-			
One Chief Superintendent, at £. 425 per annum -	531	5	-			
Twenty-four Superintendents, at salaries varying from £. 175 to £. 325 per annum - - - - -	8,388	3	2			
				9,669	8	2
- Pay of Inspectors, Sergeants, and Constables [see Numbers and Rates of Pay in Appendix (B.) page 17] - - - - -				572,104	3	6
- Extra Duty Pay - - - - -				594	10	11
- Clothing of all kinds - - - - -				60,255	12	9
- Truncheons, Rattles, Swords, Belts, &c. - - - - -				463	13	11
						643,087 9 3
IV.—MEDICAL AND FUNERAL EXPENSES:						
By Salaries of Superintending Surgeon (£. 500), and 85 District Surgeons, varying from £. 2 to £. 100 per annum - - - - -	3,200	10	4			
- Medical Attendance, Medicines, &c., for Destitute Prisoners, and for Poor Persons in cases of Accident in Public Thoroughfares - - - - -	2,803	3	5			
- Funeral Expenses of 80 Constables - - - - -	399	4	10			
						6,402 18 7
V.—HORSES, VANS, &c.:						
By Purchase of (78) Horses - - - - -	2,340	-	-			
- Forage (257 Horses, including 32 for Van Service) - - - - -	9,528	18	8			
- Saddlery, Farriery, and Stable Contingencies (£. 112. 6. 6. received for Stable Dung, deducted) - - - - -	3,479	17	11			
- Purchase and Repairs of Vans - - - - -	511	14	3			
						15,860 10 10
VI.—POLICE STATIONS AND SECTION HOUSES :						
By Erection and Purchase of Premises (After deducting £. 8,505. 19. 2. received from the Metropolitan Railway Company, for the erection of a New Station at Clerkenwell - - - - -	21,385	17	1			
- Rent of Stations and Section Houses (Lodging Money received in aid of this Service, charged per contra) - - - - -	9,880	17	3			
- Rates and Taxes - - - - -	4,420	12	2			
- Furniture and Fixtures purchased - - - - -	1,862	-	6			
- Repairs and Alterations of Premises - - - - -	5,408	5	11			
- Cleaning Stations - - - - -	4,049	3	11			
- Turners' Wares, Soap and Candles, sweeping Chimneys, Travelling Expenses, &c. of the Surveyors in visiting Stations, and other incidental Charges - - - - -	2,053	4	2			
- Expenses of Telegraph to the several Stations, including an allowance of £. 45 per annum to the Commissioner, and each of the Assistant Com- missioners, for the services of a person to work the Telegraph at their private residences - - - - -	272	-	1			
						49,332 1 1
VII.—FUEL AND LIGHT:						
By Coals supplied to Constables, and for Police Stations - - - - -	9,529	5	6			
- Gas (£. 4,170. 10. -.) and Gas Fittings (£. 203. 5. 4.) - - - - -	4,373	15	4			
- Oil, and Cleaning, Trimming, and Repairing Police Lanterns - - - - -	5,360	2	8			
						19,263 3 6
VIII.—MISCELLANEOUS:						
By Refreshments supplied to Destitute Prisoners, searching Female Prisoners, washing Towels, posting Notices, and other Contingencies, paid by Superintendents of Police - - - - -	908	6	9			
- Extraordinary Expenses, incurred in the Pursuit of, Apprehension, and Con- veyance of Prisoners - - - - -	5,798	6	4			
- Expenses and Allowances on special occasions, and on Duties out of the District (£. 2,112. 5. 5. received in aid of this Service, charged per contra) - - - - -	9,223	6	11			
- Building and Repair of Boats - - - - -	315	13	2			
						16,245 13 2
Payments carried forward - - £.				774,576	19	9

ACCOUNTS RELATIVE TO THE METROPOLITAN POLICE,

1.—AN ACCOUNT of the RECEIPT and EXPENDITURE for the Service of the

	£.	s.	d.	£.	s.	d.	£.	s.	d.
Receipts brought forward - - -	17,150	14	3	-	-	-	828,866	9	-
To Amounts received for Special Services of the Police— <i>cont^d</i> .									
At Post Office - - - - -	436	13	9						
- Record Office - - - - -	405	15	9						
- Royal Mint - - - - -	1,154	3	4						
- Stationery Office - - - - -	274	8	4						
- Westminster County Court - - - - -	88	19	6						
- Whitechapel - ditto - - - - -	88	19	6						
- Treasury: Houses of Parliament - - - - -	428	10	-						
- War Office - - - - -	7	3	6						
- Admiralty - - - - -	20,836	9	-						
- Ditto Greenwich Hospital - - - - -	707	12	2						
- War Office - - - - -	12,515	12	3						
- Hyde and Green Parks - - - - -	1,119	11	3						
				54,714	12	7			
From Public Companies and Private Individuals - - - - -				7,911	7	4			
- Theatres - - - - -				794	9	5			
- Reimbursements of Expenses incurred by the Police on special occasions - - - - -				2,112	5	5			
To Amounts received for the Conveyance of Prisoners:									
In Greenwich and Woolwich Van - - - - -	252	11	7						
- Hammersmith Van - - - - -	49	2	-						
- Surrey Van - - - - -	625	-	-						
- Wandsworth Van - - - - -	1	12	-						
				928	5	7			
To Stoppages from the Pay of the Police Force for Lodging - - - - -	8,314	13	10						
- Assessments on Police Constables for the Repair of Clothing - - - - -	2	16	9						
- Proceeds of the sale of Old Stores - - - - -	124	19	9						
- Proceeds of the Sale of Cast Horses - - - - -	560	19	3						
- Miscellaneous Receipts - - - - -	341	7	6						
- Expenses visiting Casual Wards, &c. - - - - -	744	12	2						
- Amounts received from the Owners of Dangerous Structures - - - - -	1,252	-	-						
							77,802	9	7
							£.	906,668	18 7

METROPOLITAN POLICE, between the 1st of January 1867, and the 31st of March 1868—continued.

	£.	s.	d.	£.	s.	d.
Payments brought forward	-	-	-	774,576	19	9
IX.—RETIRED ALLOWANCES, &c.:						
By Retired Allowances to Officers and Constables, late of the Bow-street Patrol, Horse Patrol, and Thames Police (39 on the List on the 31st March 1868)	2,358	3	10			
- Pensions and Allowances to Widows and Children of Police Constables who have died from Injuries received in the Execution of their Duty, per Act 24 & 25 Vict. c. 124, s. 6	380	9	4			
- Retired Allowances to Persons formerly in the Commissioner's and Receiver's Offices	2,208	15	-			
- Contributions to make good the Deficiency of the Police Superannuation Fund, per Act 20 & 21 Vict. c. 64, s. 15	63,590	6	4			
				68,537	14	6
X.—DANGEROUS STRUCTURES:						
By Salaries of one Surveyor at £. 200 per annum, in addition to the Salary of £. 350 received by him under the head of Receiver's Office (<i>vide</i> p. 3), and one Assistant Surveyor at £. 400	710	7	-			
- One Collector at £. 65 per annum, in addition to the Salary received by him under the head of Receiver's Office (<i>vide</i> p. 3)	81	5	-			
- One Inspector at £. 140. 11. 5. and one Sergeant at £. 90. 7. 7. per annum	288	13	9			
- Hoarding and Shoring	783	12	-			
- Travelling Expenses	150	-	4			
				2,013	18	1
XI.—REPAYMENTS:						
By Expenses incurred in visiting Casual Wards, &c.	1,334	4	7			
- Retired Allowances to Admiralty Police	361	2	11			
- Conveyance of Naval Prisoners	521	15	5			
- Expenses incurred under the Contagious Diseases Act	351	9	11			
- Repayment to the Overseers of the Parish of St. Thomas, Southwark, consequent upon a Reduction in the County Rental, made by order of Quarter Session	12	10	-			
- Ditto to the Overseers of the Parish of St. Martin-in-the-Fields	64	16	-			
				2,645	18	10
TOTAL Sum paid for the METROPOLITAN POLICE between the 1st of January 1867, and 31st March 1868	-	-	£.	847,774	11	2
By Balances remaining on the 31st March 1868—						
On the Receiver's Account at the Bank of England	53,961	1	10			
On Office Cash	15	8	7			
Due from Public Carriage Account	2,270	5	11			
Imprests to be accounted for	2,647	11	4			
				58,894	7	5
				906,668	18	7

2.—AN ACCOUNT of the RECEIPTS and PAYMENTS on account of the POLICE
between 1st January 1867,

RECEIPTS.	—	AMOUNT.
	£. s. d.	£. s. d.
To Stoppages from the Salaries and Pay of the Police between the 1st January 1867, and 31st March 1868, viz.:		
Deductions on account of the Police Superannuation Fund - - - - -	10,699 - 11	
Stoppages during Sickness - - - - -	4,241 18 -	
Fines on Police Constables for Misconduct - - - - -	405 11 8	
		15,346 10 7
To Fines imposed by Magistrates on Drunken Persons, and for Assaults on Police Constables, levied at Police Courts, &c., and paid over to the Receiver, between the 1st January 1867, and 31st March 1868 - - - - -	- - -	2,755 11 7
To the Proceeds of the Sale of Old Police Clothing - - - - -	- - -	952 2 3
To Contributions from the General Fund of the Metropolitan Police, to cover the deficiency of the Police Superannuation Fund, to the 31st March 1868, per Act 20 & 21 Vict. c. 64, s. 15 - - - - -	- - -	63,590 6 4
To Contributions from the Admiralty and War Departments in aid of the above Fund - - - - -	- - -	215 15 1
To Contributions from Public Departments, Public Companies, and Private Individuals, to meet the charges of Superannuations and Gratuities of Men specially employed, viz.:		
Public Departments - - - - -	1,841 2 10	
Public Companies and Private Individuals - - - - -	853 14 6	
Theatres - - - - -	73 1 4	
		2,767 18 8
	£.	85,628 4 6

3.—AN ACCOUNT of the RECEIPTS and EXPENDITURE for the Service of the PUBLIC

	£. s. d.	£. s. d.
To Balance on the 1st January 1867 - - - - -	- - -	477 13 5
To Amount received from Her Majesty's Inland Revenue, under the authority of the Act 6 & 7 Vict. c. 86, s. 6, and 16 & 17 Vict. c. 32, s. 19 - - - - -	- - -	15,100 - -
To Stoppages from the Pay of Public Carriage Attendants from the 1st January 1867, and the 31st March 1868:		
Stoppages during Sickness - - - - -	167 14 -	
Fines for Misconduct - - - - -	18 16 8	
		186 10 8
To Miscellaneous Receipts - - - - -	- - -	157 7 3
To Amount received from the Commissioners of Police of the Metropolis on account of Licenses issued, &c. - - - - -	- - -	3,775 - -
To Unclaimed Rewards - - - - -	- - -	17 3 3
To Balance remaining on the 31st March 1868 - - - - -	- - -	2,270 5 11
	£.	21,984 - 6

SUPERANNUATION FUND (Established by the 22nd Section of the Act 2 & 3 Vict. c. 47), and the 31st March 1868.

PAYMENTS.		AMOUNT.
	£. s. d.	£. s. d.
By Superannuation Allowances and Gratuities paid to Discharged Police Constables, under the provisions of the Act 2 & 3 Vict. c. 4, viz. :—		
Superannuations (2,065) on the List on the 31st March 1868 - -	84,235 12 10	
Gratuities to 35 Constables - - - - -	1,392 11 8	
		85,628 4 6
	£.	85,628 4 6

CARRIAGES of the Metropolis, between the 1st January 1867, and the 31st March 1868.

	£. s. d.	£. s. d.
By Salaries of Superintending Officer, and Veterinary Surgeon :		
One Superintending Officer, at £. 400 per annum - - - - -	500 - -	
One Veterinary Surgeon, at £. 150 per annum - - - - -	187 10 -	
One Assistant ditto, from 7th January 1867 to 30th June 1867 - -	197 14 -	
Proportionate Expenses of Clerks in Commissioner's and Receiver's Offices - - - - -	297 9 4	1,182 13 4
By Rent of Office, Furniture, Repairs, &c. - - - - -	- - -	287 6 7
- Pay of Inspectors, and Public Carriage Attendants - - - - -	- - -	11,769 5 -
- Clothing of Attendants - - - - -	- - -	1,912 13 2
- Salaries of Medical Officers - - - - -	- - -	71 19 -
- Erection and Repairs of Water Posts at Hackney Carriage Standings, and Water Rates - - - - -	- - -	1,137 12 1
- Lanterns - - - - -	- - -	140 6 5
- Miscellaneous Expenses, including Superintendent's and Office-keeper's Contingencies - - - - -	- - -	1,101 2 5
- Her Majesty's Inland Revenue for the Exchequer, in full of the sums charged per contra, and including 245 <i>l.</i> 1 <i>s.</i> 4 <i>d.</i> , the Balance of Vote 1866-7	- - -	4,381 2 6
	£.	21,984 - 6

4.—AN ACCOUNT of the RECEIPT and EXPENDITURE for the Service of the

	£.	s.	d.
To Balance in the hands of the Receiver on the 1st January 1867 - - - - -	1,966	11	1
To Amount issued out of the Consolidated Fund between the 1st January 1867, and the 31st March 1868, under the authority of the Act 2 & 3 Vict. c. 71, s. 11	34,875	-	-
To Amount issued out of the Vote of Parliament for the year 1867-68 - - -	30,196	-	-
	65,071	-	-
To Fees, Penalties, and Forfeitures levied at the undermentioned Police Courts, &c., and paid over to the Receiver between the 1st January 1867, and the 31st March 1868, in pursuance of the Act 2 & 3 Vict. c. 71, s. 46, viz. :—			
Bow-street - - - - -	1,221	17	-
Clerkenwell - - - - -	1,700	17	-
Great Marlborough-street - - - - -	1,981	2	9
Greenwich and Woolwich - - - - -	1,477	5	6
Hammersmith and Wandsworth - - - - -	1,632	4	3
Lambeth - - - - -	1,345	14	3
Marylebone - - - - -	1,712	9	1
Southwark - - - - -	926	16	3
Thames - - - - -	1,317	16	-
Westminster - - - - -	851	18	-
Worship-street - - - - -	1,416	16	9
To Amounts paid over to the Receiver by the Clerks to other Justices, viz. :—			
Beacontree - - - - -	429	3	11
Brentford - - - - -	241	10	-
Chipping Barnet - - - - -	30	5	-
Hampstead - - - - -	21	7	-
Highgate - - - - -	27	5	6
Kingston - - - - -	54	-	6
Kingston Borough - - - - -	49	8	-
Spelthorne - - - - -	90	6	9
Uxbridge - - - - -	58	6	7
Croydon - - - - -	187	3	4
Epsom - - - - -	56	2	5
Edmonton - - - - -	70	5	-
Cheshunt - - - - -	20	14	-
Waltham Abbey - - - - -	32	3	9
	16,952	18	7
	£.	83,990	9 8

POLICE COURTS of the METROPOLIS, between the 1st January 1867, and the 31st March 1868.

By Salaries of Magistrates, Clerks, &c. :	£.	s.	d.	£.	s.	d.
1 Chief Magistrate, at £. 1,500 per annum - - - - -	1,875	-	-			
22 Magistrates, at £. 1,200 per annum each - - - - -	32,702	2	1			
23 Clerks, at Salaries varying from £. 90 to £. 500 per annum -	8,818	7	10			
				43,395	9	11
Ushers, Gaolers, Messengers, &c. - - - - -				5,709	19	-
By Erection and Purchase of Premises - - - - -				1,100	-	-
- Rent of Premises occupied as Police Courts - - - - -				2,816	9	9
- Rates and Taxes - - - - -				382	8	5
- Furniture and Fixtures - - - - -				408	8	11
- Repairs of Premises - - - - -				1,447	-	7
- Fuel and Light :	£.	s.	d.			
Coals - - - - -	296	14	6			
Oil and Gas (£. 401. 1 s. 3 d.) and Gas Fittings (£. 99.) - -	500	1	3			
				796	15	9
- Postage - - - - -				35	14	-
- Travelling Expenses - - - - -				293	11	-
- Newspapers - - - - -				59	15	3
- Turners' Wares, Cleaning Police Courts, Sweeping Chimneys, and other small Contingencies				1,308	9	10
- Law Charges - - - - -				70	12	2
- Pensions and Retired Allowances to Magistrates, Clerks, &c. (25 on the List on the 31st March 1868) - - - - -				8,199	6	3
- Fees, Fines, and Forfeitures levied at the several Police Courts (paid over to the Exchequer, in full of the Sum charged per contra) - - - - -				16,952	18	7
TOTAL SUM paid by the Receiver, for the "POLICE COURTS," between the 1st January 1867, and the 31st March 1868 - - - - -			£.	82,976	19	5
By Balance remaining on the Account of the Receiver at the Bank of England on the 31st March 1868 - - - - -				1,013	10	3
	£.			83,990	9	8

Appendix (A.)

AN ACCOUNT specifying the TOTAL SUM charged upon and received from every PARISH, TOWNSHIP, PRECINCT, and PLACE, for the Purposes of the METROPOLITAN POLICE, between the 1st January 1867, and the 31st March 1868, as required by the Act 10 Geo. 4, c. 44, s. 29.

HALF-YEARLY WARRANTS issued 1st January, 1st July 1867, and the 1st January 1868.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rental from the 1st Jan. 1867, to the 31st March 1868, at 1 s. in the Pound.	Charged upon the Parishes, at 9 d. in the Pound.	Received from the Parishes.	Balances due by Parishes on 31st March 1868.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Middlesex	X	Acton	43,093 10 -	1,436 9 -	1,077 6 9	905 8 3	171 18 6
Surrey	W	Addington	6,100 - -	203 6 8	152 10 -	152 10 -	-
Herts	S	Aldenham	13,206 - -	440 4 -	330 3 -	330 3 -	-
Ditto	S	Ditto, Hamlet of Theobald Street	4,788 - -	159 12 -	119 14 -	119 14 -	-
Middlesex	K	All Saints, Poplar	329,842 - -	10,994 14 8	8,246 1 -	8,246 1 -	-
Ditto	T	Ashford	5,934 10 -	197 16 4	148 7 3	148 7 3	-
Surrey	W	Banstead	10,556 - -	351 17 4	263 18 -	263 18 -	-
Essex	K	Barking, Town Ward	82,504 10 -	2,750 3 -	2,062 12 3	2,062 12 3	-
Ditto	K	Ditto, Chadwell					
Ditto	K	Ditto, Great Ilford ditto					
Ditto	K	Ditto, Ripple ditto					
Surrey	V	Barnes	30,660 - -	1,022 - -	766 10 -	766 10 -	-
Herts	Y	Barnet, East	13,958 - -	465 5 4	348 19 -	348 19 -	-
Surrey	V	Battersea	237,973 10 -	7,932 9 -	5,949 6 9	5,149 6 9	800 - -
Kent	P	Beckenham	39,277 10 -	1,309 5 -	981 18 9	981 18 9	-
Surrey	W	Beddington	14,574 10 -	485 16 4	364 7 3	364 7 3	-
Middlesex	T	Bedfont, East	9,851 10 -	328 7 8	246 5 9	246 5 9	-
Kent	R	Bexley	35,902 10 -	1,196 15 -	897 11 3	897 11 3	-
Ditto	P	Bromley	68,818 10 -	2,293 19 -	1,720 9 3	1,720 9 3	-
Middlesex	K	Bromley, St. Leonards	156,571 - -	5,219 - 8	3,914 5 6	3,248 4 6	666 1 -
Herts	S	Bushey	18,737 - -	624 11 4	468 8 6	468 8 6	-
Surrey	P	Carshalton	22,436 10 -	747 17 8	560 18 3	560 18 3	-
Kent	W	Charlton	67,719 10 -	2,257 6 4	1,692 19 9	1,692 19 9	-
Middlesex	G	Charterhouse	2,922 - -	97 8 -	73 1 -	73 1 -	-
Surrey	W	Cheam	10,277 - -	342 11 4	256 18 6	256 18 6	-
Herts	Y	Cheshunt	47,552 - -	1,585 1 4	1,188 16 -	1,188 16 -	-
Surrey	V	Chessington	2,376 - -	79 4 -	59 8 -	59 8 -	-
Essex	N	Chigwell	30,054 - -	1,001 16 -	751 7 -	751 7 -	-
Ditto	N	Chingford	10,497 - -	349 18 -	262 8 6	262 8 6	-
Herts	S	Chipping Barnet	14,040 10 -	468 - 4	351 - 3	351 - 3	-
Kent	R	Chislehurst	20,522 10 -	684 1 8	513 1 3	513 1 3	-
Middlesex	T	Chiswick	39,815 - -	1,327 3 4	995 7 6	995 7 6	-
Ditto	L	Christchurch	97,820 - -	3,260 13 4	2,445 10 -	2,445 10 -	-
Ditto	H	Christchurch, Spitalfields	76,512 - -	2,550 8 -	1,912 16 -	1,912 16 -	-
Surrey	W	Clapham	196,439 - -	6,547 19 4	4,910 19 6	4,910 19 6	-
Ditto	W	Coulsdon	28,232 10 -	941 1 8	705 16 3	705 16 3	-
Middlesex	X	Cowley	3,226 10 -	107 11 -	80 13 3	80 13 3	-
Ditto	T	Cranford	4,299 10 -	148 6 4	107 9 9	107 9 9	-
Kent	R	Crayford	26,978 10 -	899 5 8	674 9 3	674 9 3	-
Surrey	W	Croydon	322,218 10 -	10,740 12 4	8,055 9 3	8,055 9 3	-
Ditto	V	Cuddington	5,538 - -	184 12 -	138 9 -	138 9 -	-
Essex	K	Dagenham	24,039 - -	801 6 -	600 19 6	600 19 6	-
Kent	P	Down	4,097 - -	136 11 4	102 8 6	102 8 6	-
Carried forward			£. 2,179,961 - -	726,665 7 4	54,499 - 6	52,860 19 -	1,637 19 6

Appendix (A.)—continued.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rental from the 1st Jan, 1867, to the 31st March 1868, at 1s. in the Pound.		Charged upon the Parishes, at 9d. in the Pound.	Received from the Parishes.	Balances due by Parishes on 31st March 1868.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
		Brought forward - - -	2,179,961 - -	72,665 7 4	54,499 - 6	52,860 19 -	1,637 19 6	
Middlesex -	T	Drayton, West - - -	7,013 10 -	233 15 8	175 6 9	175 6 9	-	
Ditto -	X	Ealing - - -	99,549 - -	3,318 6 -	2,488 14 6	2,488 14 6	-	
Ditto -	S	Edgware - - -	7,905 - -	263 10 -	197 12 6	197 12 6	-	
Ditto -	Y	Edmonton - - -	90,735 - -	3,024 10 -	2,268 7 6	1,886 7 6	382 2 -	
Herts -	S	Elstree - - -	4,944 - -	164 16 -	123 12 -	123 12 -	-	
Kent -	R	Eltham - - -	30,710 - -	1,023 13 4	767 15 -	767 15 -	-	
Middlesex -	Y	Enfield - - -	89,643 - -	2,988 2 -	2,241 1 6	2,241 1 6	-	
Surrey -	V	Epsom - - -	40,735 10 -	1,357 17 -	1,018 7 9	1,018 7 9	-	
Kent -	R	Erith - - -	56,841 - -	1,894 14 -	1,421 - 6	1,421 - 6	-	
Surrey -	V	Ewell, inclusive of Kingswood Liberty	16,102 10 -	536 15 -	402 11 3	402 11 3	-	
Ditto -	W	Farley - - -	1,119 - -	37 6 -	27 19 6	18 12 -	9 7 6	
Kent -	P	Farnborough - - -	4,865 10 -	162 3 8	121 12 9	121 12 9	-	
Middlesex -	T	Feltham - - -	10,851 - -	361 14 -	271 5 6	271 5 6	-	
Ditto -	S	Finchley - - -	37,371 - -	1,245 14 -	934 5 6	934 5 6	-	
Kent -	R	Foot's Cray - - -	4,200 - -	140 - -	105 - -	105 - -	-	
Middlesex -	S	Fryern-Barnet - - -	13,018 - -	433 18 8	325 9 -	325 9 -	-	
Ditto -	T	Fulham - - -	113,473 10 -	3,782 9 -	2,836 16 9	2,836 16 9	-	
Ditto -	G	Furnival's Inn (the part within Middlesex)	4,746 - -	158 4 -	118 13 -	118 13 -	-	
Ditto -	G	Glasshouse Yard, Liberty of	8,324 10 -	277 9 8	208 2 3	138 10 3	69 12 -	
Ditto -	E	Gray's Inn - - -	18,981 - -	632 14 -	474 10 6	474 10 6	-	
Ditto -	X	Greenford - - -	8,635 10 -	287 17 -	215 17 9	143 18 6	71 19 3	
Kent -	R	Greenwich - - -	202,840 - -	6,761 6 8	5,071 - -	4,216 10 8	854 9 4	
Middlesex -	S	Hadley Monken - - -	8,431 10 -	281 1 -	210 15 9	210 15 9	-	
Surrey -	V	Ham-with-Hatch, Hamlet of -	12,251 10 -	408 7 8	306 5 9	306 5 9	-	
Essex -	K	Ham, East - - -	19,764 - -	658 16 -	494 2 -	494 2 -	-	
Ditto -	K	Ham, West, Church-street Ward -	-	-	-	-	-	
Ditto -	K	- Ditto - Plaistow - ditto -	-	-	-	-	-	
Ditto -	K	- Ditto - Stratford - ditto -	240,717 - -	8,023 18 -	6,017 18 6	5,017 18 6	1,000 - -	
Middlesex -	T	Hammersmith - - -	167,954 - -	5,598 9 4	4,198 17 -	4,198 17 -	-	
Ditto -	T	Hampton Town and Court - -	27,036 10 -	901 4 4	675 18 3	675 18 3	-	
Ditto -	T	Hampton Wick, Hamlet of -	14,884 - -	479 9 4	359 12 -	359 12 -	-	
Ditto -	X	Hanwell - - -	17,542 10 -	584 15 -	438 11 3	438 11 3	-	
Ditto -	T	Hanworth - - -	5,442 - -	181 8 -	136 1 -	136 1 -	-	
Ditto -	X	Harefield - - -	11,958 - -	398 12 -	298 19 -	298 19 -	-	
Ditto -	T	Harlington - - -	10,720 - -	357 6 8	268 - -	268 - -	-	
Ditto -	T	Harmondsworth - - -	11,629 - -	387 12 8	290 14 6	290 14 6	-	
Ditto -	X	Harrow - - -	84,006 - -	2,800 4 -	2,100 3 -	2,100 3 -	-	
Ditto -	X	Hayes - - -	20,047 - -	668 4 8	501 3 6	501 3 6	-	
Kent -	P	Hayes - - -	5,739 - -	191 6 -	143 9 6	143 9 6	-	
Middlesex -	S	Hendon - - -	56,316 - -	1,877 4 -	1,407 18 -	1,407 18 -	-	
Ditto -	T	Heston - - -	49,257 10 -	1,641 18 4	1,231 8 9	1,231 8 9	-	
Ditto -	X	Hillingdon - - -	48,607 10 -	1,620 5 -	1,215 3 9	1,215 3 9	-	
Surrey -	V	Hook, Hamlet of - - -	1,981 - -	66 - 8	49 10 6	49 10 6	-	
Middlesex -	Y	Hornsey - - -	110,377 10 -	3,679 5 -	2,759 8 9	2,239 12 6	519 16 3	
Ditto -	X	Ickinham - - -	4,000 10 -	133 7 -	100 - 3	100 - 3	-	
Ditto -	T	Isleworth - - -	66,122 10 -	2,204 1 8	1,653 1 3	1,653 1 3	-	
Ditto -	T	Kensington - - -	862,723 - -	28,757 8 8	21,568 1 6	19,285 6 3	2,282 15 3	
Kent -	P	Keston - - -	5,129 10 -	170 19 8	128 4 9	128 4 9	-	
Surrey -	V	Kew - - -	8,200 - -	273 6 8	205 - -	205 - -	-	
		Carried forward - - - £.	4,922,901 10 -	164,096 14 4	123,072 10 9	116,244 9 8	6,828 1 1	

Appendix (A.)—continued.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rental from the 1st Jan. 1867, to the 31st March 1868, at 1 s. in the Pound.	Charged upon the Parishes, at 9 d. in the Pound.	Received from the Parishes.	Balances due by Parishes on 31st March 1868.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
		Brought forward - - -	4,922,901 10 -	164,096 14 4	123,072 10 9	116,244 9 8	6,828 1 1
Kent - - -	R	Kidbrooke, Liberty of - - -	19,665 - -	652 3 4	489 2 6	489 2 6	- -
Middlesex -	S	Kingsbury - - - - -	8,011 10 -	267 1 -	200 5 9	200 5 9	- -
Surrey - - -	V	Kingston-on-Thames - - -	162,267 - -	5,408 18 -	4,056 13 6	4,056 13 6	- -
Middlesex -	T	Latcham - - - - -	5,433 - -	181 2 -	135 16 6	135 16 6	- -
Kent - - -	R	Lee - - - - -	82,644 10 -	2,754 16 4	2,066 2 3	2,066 2 3	- -
Ditto - - -	R	Lewisham - - - - -	287,669 - -	9,588 19 4	7,191 14 6	7,191 14 6	- -
Middlesex -	F	Lincoln's Inn - - - - -	25,866 - -	862 4 -	646 13 -	646 13 -	- -
Essex - - -	K	Little Ilford - - - - -	6,375 - -	212 10 -	159 7 6	159 7 6	- -
Middlesex -	T	Littleton - - - - -	2,983 10 -	99 9 -	74 11 9	74 11 9	- -
Surrey - - -	V	Long Ditton - - - - -	16,225 10 -	540 17 -	405 12 9	405 12 9	- -
Essex - - -	N	Loughton - - - - -	16,685 10 -	556 3 8	417 2 9	417 2 9	- -
Ditto - - -	N	Low Leyton - - - - -	38,607 - -	1,286 18 -	965 3 6	965 3 6	- -
Surrey - - -	V	Maldon - - - - -	3,518 - -	117 5 4	87 19 -	87 19 -	- -
Ditto - - -	V	Merton - - - - -	17,341 10 -	578 1 -	433 10 9	433 10 9	- -
Middlesex -	H	Mile-End New Town, Hamlet of -	23,490 - -	783 - -	587 5 -	587 5 -	- -
Ditto - - -	K	Mile-End Old Town, Hamlet of -	294,485 10 -	9,816 3 8	7,362 2 9	6,132 7 8	1,229 15 1
Ditto - - -	S	Mimms, South - - - - -	27,559 - -	918 12 8	688 19 6	458 16 9	230 2 9
Surrey - - -	W	Mitcham - - - - -	34,599 - -	1,153 6 -	864 19 6	864 19 6	- -
Ditto - - -	V	Morden - - - - -	7,087 - -	236 4 8	177 3 6	177 3 6	- -
Ditto - - -	V	Mortlake - - - - -	37,709 - -	1,256 19 4	942 14 6	942 14 6	- -
Kent - - -	R	Mottingham, Hamlet of - - -	4,751 10 -	158 7 8	118 15 9	118 15 9	- -
Surrey - - -	V	Moulsey, East - - - - -	13,732 - -	457 14 8	343 6 -	343 6 -	- -
Ditto - - -	V	Moulsey, West - - - - -	4,870 - -	162 6 8	121 15 -	121 15 -	- -
Middlesex -	T	New Brentford, Township of -	15,331 10 -	511 1 -	383 5 9	383 5 9	- -
Herts - - -	Y	Northaw - - - - -	6,012 - -	200 8 -	150 6 -	100 4 -	50 2 -
Kent - - -	R	Northray - - - - -	5,928 10 -	197 12 4	148 4 3	148 4 3	- -
Middlesex -	X	Northolt - - - - -	6,699 - -	223 6 -	167 9 6	167 9 6	- -
Ditto - - -	H	Norton Folgate, Liberty of -	13,534 10 -	451 3 -	338 7 3	338 7 3	- -
Ditto - - -	H	Norwood, Precinct of - - -	32,143 - -	1,071 8 8	803 11 6	803 11 6	- -
Ditto - - -	H	Old Artillery Ground - - -	7,125 - -	237 10 -	178 2 6	148 8 9	29 13 9
Ditto - - -	H	Old Tower - - - - -	5,052 - -	168 8 -	126 6 -	126 6 -	- -
Kent - - -	R	Orpington - - - - -	12,112 10 -	403 15 -	302 16 3	302 16 3	- -
Middlesex -	X	Paddington - - - - -	1,210,252 10 -	40,341 15 -	30,256 6 3	25,179 6 7	5,076 19 8
Surrey - - -	P	Penge - - - - -	127,324 10 -	4,244 3 -	3,183 2 3	2,495 12 3	687 10 -
Middlesex -	X	Perivale - - - - -	2,131 10 -	71 1 -	53 5 9	35 10 6	17 15 3
Surrey - - -	V	Petersham - - - - -	11,320 - -	377 6 8	283 - -	283 - -	- -
Middlesex -	X	Pinner, Hamlet of - - - - -	22,454 - -	748 9 4	561 7 -	561 7 -	- -
Kent - - -	R	Plumstead - - - - -	85,023 10 -	2,834 2 4	2,125 11 9	2,125 11 9	- -
Surrey - - -	V	Putney, including Roehampton -	84,440 - -	2,814 13 4	2,111 - -	1,804 15 -	306 5 -
Middlesex -	K	Ratcliffe, Hamlet of - - -	93,587 - -	3,119 11 4	2,339 13 6	1,558 7 -	781 6 6
Surrey - - -	V	Richmond - - - - -	115,459 - -	3,848 12 8	2,886 9 6	2,886 9 6	- -
Herts - - -	S	Ridge - - - - -	7,281 - -	242 14 -	182 - 6	182 - 6	- -
Middlesex -	F	Rolls Liberty - - - - -	31,588 - -	1,052 18 8	789 14 -	789 14 -	- -
Surrey - - -	R	Rotherhithe - - - - -	153,215 - -	5,107 3 4	3,830 7 6	3,830 7 6	- -
		Carried forward - - - £.	8,112,390 10 -	270,413 - 4	202,809 15 3	187,572 4 2	15,237 11 1

Appendix (A.)—continued.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rental from the 1st Jan. 1867, to the 1st March 1868, at 1 s. in the Pound.	Charged upon the Parishes, at 9 d. in the Pound.	Received from the Parishes.	Balances due by Parishes on 31st March 1868.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
		Brought forward - - -	8,112,390 10 -	270,413 - 4	202,809 15 2	187,572 4 2	15,237 11 1
Middlesex	T	Ruislip - - -	18,844 10 -	628 3 -	471 2 3	471 2 3	—
Ditto	G	St. Andrew, Holborn, and St. George-the-Martyr - - -	211,923 - -	7,064 2 -	5,298 1 6	4,415 1 -	883 - 6
Ditto	K	St. Ann, Limehouse - - -	144,299 - -	4,809 19 4	3,607 9 6	2,394 10 3	1,212 19 3
Ditto	C	St. Ann, Westminster - - -	144,352 10 -	4,811 15 -	3,608 16 3	3,007 6 10	601 9 5
Ditto	H	St. Catherine, Tower Division - - -	25,909 10 -	863 13 -	647 14 9	647 14 9	—
Ditto	F	St. Clements Danes, Westminster, and that part within the Duchy Liberty - - -	148,221 - -	4,940 14 -	3,705 10 6	3,705 10 6	—
Ditto	H	St. George-in-the-East - - -	290,586 - -	9,686 4 -	7,264 13 -	7,264 13 -	—
Ditto	C	St. George, Hanover-square - - -	1,628,964 - -	54,298 16 -	40,724 2 -	27,124 3 -	13,599 19 -
Surrey	M	St. George, Southwark - - -	233,708 - -	7,790 5 4	5,842 14 -	4,748 19 -	1,093 15 -
Ditto	P	St. Giles, Camberwell - - -	498,779 - -	16,625 19 4	12,469 9 6	7,719 9 6	4,750 - -
Middlesex	E	St. Giles-in-the-Fields, and St. George, Bloomsbury - - -	416,118 - -	13,870 12 -	10,402 19 -	9,536 - 9	866 18 3
Ditto	G	St. James, Clerkenwell, including the District of St. John - - -	370,665 10 -	12,355 10 4	9,266 12 9	6,177 10 6	3,089 2 3
Ditto	C	St. James, Westminster - - -	693,051 - -	23,101 14 -	17,326 5 6	14,438 11 3	2,887 14 3
Ditto	N	St. John, Hackney - - -	572,952 - -	19,098 8 -	14,323 16 -	12,451 13 -	1,872 3 -
Ditto	S	St. John, Hampstead - - -	237,374 - -	7,912 9 4	5,934 7 -	3,946 15 -	1,987 12 -
Surrey	M	St. John, Southwark - - -	79,686 - -	2,656 4 -	1,992 3 -	1,620 5 6	371 17 6
Middlesex	K	St. John, Wapping - - -	70,163 10 -	2,338 15 8	1,754 1 9	1,754 1 9	—
Ditto	G	St. Leonard, Shoreditch - - -	583,832 10 -	19,461 1 8	14,595 16 3	9,725 6 6	4,870 9 9
Ditto	T	St. Luke, Chelsea - - -	459,144 10 -	15,304 16 4	11,478 12 3	8,633 15 9	2,844 16 6
Ditto	G	St. Luke, Finsbury - - -	280,350 - -	9,345 - -	7,008 15 -	5,840 12 6	1,168 2 6
Ditto	B	St. Margaret and St. John, Westminster - - -	538,239 - -	17,941 6 -	13,455 19 6	8,938 19 3	4,517 - 3
Ditto	F	St. Martin-in-the-Fields - - -	422,474 10 -	14,082 9 8	10,561 17 3	10,561 17 3	—
Ditto	N	St. Mary, Islington - - -	1,267,833 10 -	42,261 2 4	31,695 16 9	31,695 16 9	—
Surrey	L	St. Mary, Lambeth - - -	1,107,247 10 -	36,908 5 -	27,681 3 9	27,681 3 9	—
Middlesex	D	St. Marylebone - - -	1,587,305 - -	52,910 3 4	39,682 12 6	29,446 8 -	10,236 4 6
Ditto	F	St. Mary-le-Strand, and that part within the Duchy Liberty - - -	26,935 10 -	897 17 -	673 7 9	673 7 9	—
Surrey	M	St. Mary Magdalene, Bermondsey - - -	325,185 10 -	10,839 10 4	8,129 12 9	6,665 17 9	1,463 15 -
Ditto	P	St. Mary, Newington - - -	384,926 - -	12,830 17 4	9,623 3 -	6,123 3 -	3,500 - -
Kent	R	St. Mary's Cray - - -	12,747 - -	424 18 -	318 13 6	318 13 6	—
Middlesex	N	St. Mary, Stoke Newington - - -	74,511 - -	2,483 14 -	1,862 15 6	1,862 15 6	—
Ditto	K	St. Mary, Stratford, Bow - - -	94,306 10 -	3,143 11 -	2,357 13 3	1,949 8 3	408 5 -
Ditto	H	St. Mary, Whitechapel - - -	188,752 - -	6,291 14 8	4,718 16 -	3,932 - -	786 16 -
Ditto	H	St. Matthew, Bethnal Green - - -	299,842 - -	9,994 14 8	7,496 1 -	6,243 3 -	1,252 18 -
Kent	R	St. Nicholas, Deptford - - -	24,452 - -	815 1 4	611 6 -	611 6 -	—
Surrey	M	St. Olave, Southwark - - -	103,050 - -	3,435 - -	2,576 5 -	2,132 10 -	443 15 -
Middlesex	Y	St. Pancras - - -	1,458,543 - -	48,618 2 -	36,463 11 6	36,463 11 6	—
Ditto	F	St. Paul, Covent Garden - - -	75,979 - -	2,532 12 8	1,899 9 6	1,899 9 6	—
Kent	R	St. Paul, Deptford, including the Hamlet of Hatcham - - -	212,171 10 -	7,072 7 8	5,304 5 9	4,399 13 2	904 12 7
Middlesex	K	St. Paul, Shadwell - - -	66,710 10 -	2,223 13 8	1,667 15 3	1,667 15 3	—
Kent	R	St. Paul's Cray - - -	5,627 10 -	187 11 8	140 13 9	140 13 9	—
Middlesex	B	St. Peter's, Westminster, Close of the Collegiate Church - - -	2,232 - -	74 8 -	55 16 -	37 - 3	18 15 9
Surrey	M	St. Saviour's, and Clink Liberty - - -	174,139 - -	5,804 12 8	4,353 9 6	3,559 14 6	793 15 -
Middlesex	G	St. Sepulchre, Finsbury - - -	26,230 10 -	874 7 -	655 15 3	655 15 3	—
Surrey	M	St. Thomas, Southwark - - -	12,907 - -	430 4 8	322 13 6	322 13 6	—
		Carried forward - - - £.	23,713,661 - -	790,455 7 4	592,841 10 6	511,178 3 2	81,663 7 4

Appendix (A.)—continued.

COUNTY.	Letter of Division.	PARISHES, &c.	Rental upon which Computed.	TOTAL of the Rental from the 1st Jan. 1867, to 31st March 1868, at 1 s. in the Pound.	Charged upon the Parishes, at 9 d. in the Pound.	Received from the Parishes.	Balances due by Parishes on 31st March 1868.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
		Brought forward - - -	23,713,661 - -	790,455 7 4	592,841 10 6	511,178 3 2	81,663 7 4
Middlesex -	G	Saffron Hill, Hatton Garden, and Ely Rents, Liberty of - - -	50,626 10 -	1,687 11 -	1,265 13 3	1,265 13 3	-
Surrey -	W	Sanderstead - - - - -	7,566 - -	252 4 -	189 3 -	189 3 -	-
Middlesex -	F	Savoy, Precinct of - - -	13,666 10 -	455 11 -	341 13 3	341 13 3	-
Herts -	S	Shenley - - - - -	11,159 10 -	371 19 8	278 19 9	278 19 9	-
Middlesex -	T	Shepperton - - - - -	10,469 10 -	348 16 4	261 12 3	173 14 6	87 17 9
Ditto -	H	Smithfield, East - - - -	66,658 10 -	2,221 19 -	1,666 9 3	1,666 9 3	-
Ditto -	T	Staines - - - - -	20,322 10 -	677 8 4	508 1 3	508 1 3	-
Ditto -	S	Stanmore, Great - - - -	11,701 10 -	390 1 -	292 10 9	292 10 9	-
Ditto -	S	Stanmore, Little - - - -	7,633 10 -	254 9 -	190 16 9	190 16 9	-
Ditto -	T	Stanwell - - - - -	15,354 - -	511 16 -	383 17 -	255 18 -	127 19 -
Ditto -	F	Staple's Inn - - - - -	3,375 - -	112 10 -	84 7 6	84 7 6	-
Surrey -	W	Streatham - - - - -	111,684 10 -	3,722 16 4	2,792 2 3	2,792 2 3	-
Middlesex -	T	Sunbury - - - - -	17,169 10 -	572 6 4	429 4 9	429 4 9	-
Surrey -	W	Sutton - - - - -	24,289 10 -	809 13 -	607 4 9	607 4 9	-
Middlesex -	T	Teddington - - - - -	18,278 - -	609 5 4	456 19 -	456 19 -	-
Surrey -	V	Thames Ditton, comprising the Hamlet of Cleygate, the Hamlet of Ember, and the Hamlet of Weston - - - - -	22,215 - -	740 10 -	555 7 6	325 7 6	230 - -
Ditto -	W	Tooting - - - - -	16,381 - -	546 - 8	409 10 6	409 10 6	-
Middlesex -	Y	Tottenham - - - - -	123,303 - -	4,110 2 -	3,082 11 6	2,030 17 -	1,051 14 6
Herts -	S	Totteridge - - - - -	6,241 10 -	208 1 -	156 - 9	104 - 6	52 - 3
Middlesex -	H	Trinity, Minories - - - -	10,000 10 -	333 7 -	250 - 3	216 13 6	33 6 9
Ditto -	T	Twickenham - - - - -	73,759 10 -	2,458 13 -	1,843 19 9	1,843 19 9	-
Surrey -	X	Twyford Abbey, Liberty of -	1,596 - -	53 4 -	39 18 -	26 12 -	13 6 -
Middlesex -	X	Uxbridge, Township of, and Chapter	19,821 - -	606 14 -	495 10 6	303 5 9	165 4 9
Ditto -	W	Wallington, Hamlet of - - -	8,324 10 -	277 9 8	208 2 3	208 2 3	-
Essex -	N	Waltham Abbey and Town, in- cluding the Hamlets of Seward- stone, and of Upshire - - -	42,960 - -	1,432 - -	1,074 - -	1,074 - -	-
Ditto -	N	Walthamstow - - - - -	58,463 10 -	1,948 15 8	1,461 11 9	1,461 11 9	-
Surrey -	V	Wandsworth - - - - -	118,828 10 -	3,960 19 -	2,970 14 3	2,970 14 3	-
Essex -	N	Wanstead - - - - -	25,500 - -	850 - -	637 10 -	637 10 -	-
Surrey -	W	Warlingham - - - - -	3,678 - -	122 12 -	91 19 -	91 19 -	-
Kent -	R	Wickham, East - - - - -	5,374 - -	179 2 8	134 7 -	134 7 -	-
Ditto -	P	Wickham, West - - - - -	7,360 - -	245 6 8	184 - -	184 - -	-
Middlesex -	X	Willesden - - - - -	86,103 10 -	2,870 2 4	2,152 11 9	1,787 17 3	364 14 6
Surrey -	V	Wimbledon - - - - -	66,947 10 -	2,231 11 8	1,673 18 9	1,673 13 9	-
Essex -	N	Woodford - - - - -	28,008 - -	933 12 -	700 4 -	466 - -	234 4 -
Surrey -	Y	Woodmasterne - - - - -	3,517 - -	117 4 8	87 18 6	87 18 6	-
Kent -	R	Woolwich - - - - -	125,194 - -	4,173 2 8	3,129 17 -	2,584 5 -	545 12 -
TOTALS, as per "Ab- stract," at p. 17 - - -			£. 24,957,186 10 -	831,906 4 4	623,929 13 3	539,360 6 5	84,569 6 10

Appendix (A.)—continued.

ABSTRACT of the WARRANTS for the Police Rates, issued between the 1st January 1867, and 31st March 1868.

Date of the Commissioner's Half-yearly Warrants.	Rental upon which Computed.	TOTALS of the Police Rates, at 4 d. in the £.1 for the Half-year.	Charged upon the		Received from the		Balances due by	
			Parishes, at 3 d. in the £.1 for the Half-year.	Treasury, at 1 d. in the £.1 for the Half-year.	Parishes.	Treasury.	Parishes.	Treasury.
			£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1st January 1867 -	24,957,186 10	270,403 1 8	202,802 6 3	67,600 15 5	202,802 6 3	67,600 15 5	—	—
1st July " -		276,678 - 8	207,508 10 6	69,169 10 2	207,508 10 6	69,169 10 2	—	—
1st January 1868 -		284,825 2 -	213,618 16 6	71,206 5 6	129,049 9 8	209 14 5	84,569 6 10	70,996 11 1
TOTALS - - £.	24,957,186 10	831,906 4 4	623,929 13 3	207,976 11 1	539,360 6 5	136,980 - -	84,569 6 10	70,996 11 1

Maurice Drummond,
Receiver for the Metropolitan Police District.

Appendix (B.)

A STATEMENT of the TOTAL NUMBER OF PERSONS belonging to the METROPOLITAN POLICE FORCE on the 31st of March 1868, in which the Number in each Rank of such Force, and the Salaries, Pay, and Allowances enjoyed by each Class, are distinguished, as required by the Act 2 & 3 Vict. c. 47, s. 9.

CLASS OR RANK.	Number of Persons.	Salaries or Pay per Annum.	ALLOWANCES.
		£. s. d.	
Inspecting Superintendent - - - - -	1	600 - -	
Chief Superintendent - - - - -	1	425 - -	
Superintendents - - - - -	4	325 - -	
	14	300 - -	
	4	230 - -	
	1	175 - -	
	1	250 - -	
Inspectors - - - - -	4	199 19 8	
	3	186 6 8	
	1	175 1 4	
	2	168 2 8	To Inspectors, Clothing.
	6	149 18 8	
	100	136 10 -	
	119	118 6 -	
	4	91 - -	
Serjeants - - - - -	7	109 4 -	
	13	81 18 -	
	11	77 7 -	
	1	76 14 -	
	351	72 16 -	
Constables - - - - -	464	67 12 -	To sergeants and constables, clothing, and 40 lbs. of coal weekly to each married man, all the year; and 40 lbs. weekly to each single man during eight months, and 20 lbs. weekly during the remainder of the year.
	4	88 8 -	
	8	83 4 -	
	1	78 - -	
	12	72 16 -	
	2	70 4 -	
	2,065	65 - -	
	41	63 14 -	
	1,968	59 16 -	
	245	57 4 -	
	1,446	54 12 -	
	1,546	49 8 -	
TOTAL - - - - -	8,450		

Richard Mayne,
Commissioner of Police of the Metropolis.

METROPOLITAN POLICE.

1867.

ACCOUNTS

SHOWING THE

SUMS RECEIVED AND EXPENDED

FOR THE PURPOSES OF THE

METROPOLITAN POLICE,

POLICE SUPERANNUATION FUND,

PUBLIC CARRIAGES,

AND

POLICE COURTS,

Between the 1st January 1867 and 31st March 1868.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, to be Printed,
5 May 1868.

METROPOLITAN AND CITY POLICE.

RETURN to an Address of the Honourable The House of Commons,
dated 21 November 1867;—for,

- “ RETURNS of the Number of METROPOLITAN POLICE : ”
- “ Of the Number of CITY POLICE for the Year 1867 : ”
- “ Of the Number of Persons taken into Custody for ASSAULTS upon the POLICE and for Obstructing them in Discharge of their Duty during the Year 1867 : ”
- “ Of the Number of POLICE CONSTABLES of All Ranks Assaulted during the Year 1867 : ”
- “ Of the Number of POLICE CONSTABLES of All Ranks Temporarily Disabled from Discharge of their Duty by Assaults for the Year 1867 : ”
- “ Of the Number of POLICE CONSTABLES of all Ranks Killed, or permanently Disabled from Duty by Assaults during the Year 1867 : ”
- “ Of the Number of Persons FINED for ASSAULTS on the POLICE during the Year 1867 : ”
- “ Of the Number of Persons IMPRISONED for ASSAULTS on the POLICE during the Year 1867 : ”
- “ And, of the Number of POLICE CONSTABLES receiving PENSIONS, or who have received GRATUITIES on Discharge from the POLICE FORCE through INJURIES received in Discharge of their Duty.”

METROPOLITAN POLICE.

Numerical strength of the Metropolitan Police - - - - - 6,999*

(* This number is exclusive of those employed in Her Majesty's Dockyards.)

Number of persons taken into custody for assaults on police, and for obstructing them in the discharge of their duty - - - - - 2,246

Number of police of all ranks assaulted - - - - - 2,229

Number of police of all ranks temporarily disabled from discharge of their duty by assault - - - - - 191

Number of police of all ranks killed, or permanently disabled from discharge of their duty - - - - - 4†

(† Particulars of these cases stated briefly below.)

Number of persons fined for assaults on the police - - - - - 1,285

Number of persons imprisoned for assaults on the police - - - - - 795

Number of police who have been granted pensions during the year 1867, in consequence of injuries received in the discharge of their duty - - - - - 20†

(† These have been pensioned during the year 1867, in consequence of injuries received in discharge of their duties prior to commencement of the year. None have received gratuities on discharge from the service.)

(† Particulars of the cases referred to above.)

1. The constable was suddenly attacked in Bloomsbury, stabbed in right temple, and shot in right knee.
2. The constable in apprehending a man for larceny from the person was severely kicked and beaten about the body.
3. The constable aroused a drunken man who was lying down in the street, and assisted him to walk a little way, when he turned round, knocked the constable down, kicked out two of his teeth, and bruised him about the body and legs.
4. The constable was shot at and his left hand shattered by a man in company of another, whom the officer suspected to be improper characters.

Metropolitan Police Office, 4, Whitehall Place,
12 December 1867.

Thomas Kittle, Superintendent,
Executive Branch.

CITY OF LONDON POLICE.

RETURN from the 1st January to the 25th November 1867, inclusive.

Number of the City Police for the year 1867 - - - - - 688

Number of persons taken into custody for assaults upon the police, and for obstructing them in discharge of their duty, during the year 1867 - - - - - 205

Number of police constables, of all ranks, assaulted during the year 1867 - - - - - 190

Number of police constables, of all ranks, temporarily disabled from discharge of their duty by assaults, for the year 1867 - - - - - 3

Number of police constables, of all ranks, killed, or permanently disabled from duty by assaults, during the year 1867 - - - - - none.

Number of persons fined for assaults on the police during the year 1867 - - - - - 58

Number of persons imprisoned for assaults on the police during the year 1867 - - - - - 100

Number of police constables receiving pensions, or who have received gratuities, on discharge from the police force through injuries received in discharge of their duty - - - - - none.

James Fraser, Colonel,
Commissioner of Police.

METROPOLITAN AND CITY POLICE.

RETURNS

RELATING TO THE

METROPOLITAN POLICE

AND THE

CITY OF LONDON POLICE.

(*Mr. Michael Bass.*)

*Ordered, by The House of Commons, to be Printed,
17 February 1868.*

METROPOLITAN AND CITY POLICE, &c.

RETURN to an Address of the Honourable The House of Commons,
dated 5 December 1867;—for,

“RETURN of the Number of the POLICE FORCE employed in the METROPOLITAN DISTRICT in the Years 1841, 1851, 1861, and 1866, with the Estimated POPULATION of that District at those Dates :”

“And, similar RETURN for the DISTRICT of the CITY of LONDON, as to POLICE and POPULATION.”

METROPOLITAN POLICE.

RETURN of the Number of POLICE employed in the METROPOLITAN POLICE DISTRICT, in the Years 1841, 1851, 1861, and 1866, with the Estimated POPULATION of that District at those Dates :—

YEARS.	Number of Police.	Estimated Population.
1841 - - - - -	4,393	2,117,062
1851 - - - - -	5,562	2,562,932
1861 - - - - -	6,162	3,118,754
1866 - - - - -	6,862	3,396,664

NOTE.—Police specially employed are included in above numbers. If a calculation is made of those employed only in actual Police duty, it shows a population of 523 to each of the Police in 1866, and 499 in 1841. If the whole numbers are taken, it shows, in 1866, a population of 482 to each of the police, and in 1841 a population of 495 to each of the police : in 1830 the population was 448 to each of the police.

Metropolitan Police Office,
16 December 1867.

Richard Mayne.
Thos. Kittle, Superintendent.

CITY OF LONDON POLICE.

RETURN of the Number of the POLICE FORCE employed in the CITY of LONDON DISTRICT in the Years 1841, 1851, 1861, and 1866, with the Estimated POPULATION of that District at those Dates :—

YEAR.	Number of the Police Force.	Population.*
1841 - - - - -	536	124,717
1851 - - - - -	559	129,171
1861 - - - - -	616	113,387
1866 - - - - -	668	110,000 (Estimated)

* The figures under the heading “Population” show the number of persons sleeping at night within the City of London; the number within the same area during the day is known to approach one million.

James Fraser, Colonel,
Commissioner of Police.

METROPOLITAN AND CITY POLICE, &c.

RETURN of the Number of the POLICE FORCE employed in the METROPOLITAN DISTRICT, in the years 1841, 1851, 1861, and 1866, with the Estimated POPULATION of that District at those dates; and, similar RETURN for the DISTRICT of the CITY of LONDON as to POLICE and POPULATION.

(*Sir Frederick Heygate.*)

*Ordered, by The House of Commons, to be Printed,
17 February 1868.*

CONSTABULARY (IRELAND).

ROYAL IRISH CONSTABULARY.

RETURNS showing the STRENGTH, &c. of the CONSTABULARY FORCE serving
in *Ireland* on the 1st January 1868.

SCHEDULE.

	PAGE
No. 1.—Table showing the Strength, &c. of the Force on the 1st January 1868	- - 2
No. 2.—Statement of Salaries, Allowances, &c.	- - 5
No. 3.—Summary of Force, and Expenditure for the Year 1867	- - 11
No. 4.—Total Expenditure for each County	- - 12
No. 5.—Return of Stipendiary Magistrates	- - 13

(*Presented pursuant to Act 6 Will. 4, c. 13, s. 57.*)

Ordered, by The House of Commons, to be Printed,
27 July 1868.

RETURNS showing the STRENGTH, &c. of the CONSTABULARY FORCE serving in *Ireland* on the 1st January 1868.

No. 1.—STRENGTH of the Force on the 1st day of January 1868.

COUNTIES, &c.	Town Inspector of Belfast.	County Inspectors.			Sub-Inspectors.			Head Constables.			Constables.		Acting Constables.	Sub-Constables.								Vacancies in the Rank of Sub-Constable.	Horses.			
		County Inspectors.		Sub-Inspectors.			Head Constables.			Constables.		Sub-Constables.														
		County Inspectors.		Sub-Inspectors.			Head Constables.			Constables.		Sub-Constables.														
		1st.	2nd.	1st.	2nd.	3rd.	Major.	1st.	2nd.	Mounted.	Dismounted.	Mounted.		Dismounted.	Mounted.	Dismounted.	Mounted.	Dismounted.	Mounted.	Dismounted.	Mounted.			Dismounted.	Under 6 Months' Service.	
Antrim -	-	1	-	-	1	1	2	2	-	1	7	4	42	10	14	1	24	2	35	1	119	1	119	1	21	8
Armagh -	-	-	1	-	-	1	2	2	-	1	6	3	29	11	11	2	27	2	38	-	46	-	46	-	9	7
Carlow -	-	-	1	-	-	-	-	-	5	-	-	1	23	7	12	3	11	1	28	-	38	-	38	-	15	6
Cavan -	-	1	-	-	2	3	3	4	5	3	5	4	43	9	25	3	46	2	56	1	86	1	86	1	15	10
Clare -	-	1	-	-	2	4	4	4	9	2	9	4	62	12	27	4	52	2	54	2	160	-	160	-	14	12
Cork, E. -	-	1	-	-	7	4	1	1	13	1	13	4	81	19	35	2	41	3	44	3	206	5	206	12	7	14
Cork, W. -	-	1	-	-	1	4	3	3	9	1	9	3	53	12	17	4	31	1	45	1	119	1	119	1	6	10
Donegal -	-	1	-	-	3	4	3	3	13	-	1	1	86	18	18	6	87	3	118	2	212	2	212	6	22	12
Down -	-	-	1	-	2	-	5	5	7	-	1	5	42	10	8	1	34	3	42	3	97	-	97	-	18	9
Dublin -	-	1	-	-	4	1	-	-	6	-	-	1	41	8	15	2	28	1	35	2	89	2	89	1	17	7
Fermanagh -	-	-	1	-	-	-	2	2	3	-	3	1	30	6	5	2	34	2	29	2	53	2	53	-	17	7
Galway, E. -	-	1	-	-	1	4	2	2	8	-	1	-	50	12	29	2	53	4	54	3	103	3	103	2	17	9
Galway, W. -	-	-	1	-	1	3	5	5	8	-	4	1	48	10	34	6	62	2	41	1	111	1	111	9	12	11
Kerry -	-	1	-	-	4	1	2	2	6	-	2	3	42	9	30	3	38	2	37	2	93	2	93	4	6	9
Kildare -	-	1	-	-	1	3	1	1	7	-	-	2	42	15	28	1	35	2	38	2	76	2	76	4	17	7
Kilkenny -	-	1	-	-	3	2	3	3	8	-	1	3	57	9	35	4	64	2	67	1	93	1	93	10	10	10
King's -	-	1	-	-	2	3	1	1	7	-	1	4	59	14	14	1	45	-	51	3	104	3	104	-	19	8
Leitrim -	-	-	1	-	3	-	3	3	7	-	1	4	47	12	35	2	56	2	52	2	98	-	98	1	20	8
Limerick -	-	1	-	-	1	2	6	6	9	-	3	3	86	9	47	2	52	4	67	-	246	-	246	3	21	11
Londonderry -	-	1	-	-	2	1	2	2	3	-	3	2	26	9	9	1	21	4	25	-	36	-	36	4	8	7
Longford -	-	1	-	-	-	2	3	3	4	-	1	2	35	11	12	2	38	3	31	-	52	1	52	-	17	7
Louth -	-	1	-	-	3	1	-	-	6	-	1	2	31	7	14	2	39	1	36	1	38	1	38	-	17	6

Mayo	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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No. 1.—STRENGTH of the Force on the 1st day of January 1868—*continued.*

RECAPITULATION.

			Staff and Force in Counties, &c.	Belfast Town Force.	Reserve Force at Depôt.	TOTAL.
Inspector General	- - - - -		1	-	-	1
Deputy Inspector General	- - - - -		1	-	-	1
Assistant Inspectors General	- - - - -		2	-	1	3
Receiver	- - - - -		1	-	-	1
Surgeon	- - - - -		-	-	1	1
Veterinary Surgeon	- - - - -		-	-	1	1
Storekeeper	- - - - -		-	-	1	1
Town Inspector of Belfast, at	£. s. - per ann.	450 -	-	1	-	1
County Inspectors, 1st class, on good service pay	350 - "		5	-	-	5
Ditto - 1st class	300 - "		22	-	-	22
Ditto - 2nd class	270 - "		8	-	-	8
Sub Inspectors, 1st class, on good service pay	230 - "		6	-	-	6
Ditto - 1st class	200 - "		81	-	3	84
Ditto - 2nd class, on good service pay	162 - "		21	2	-	23
Ditto - 2nd class	150 - "		64	1	1	66
Ditto - 3rd class, on good service pay	137 - "		-	-	-	-
Ditto - 3rd class	125 - "		86	1	2	89
Head Constable, Major	80 4 "		-	-	1	1
Ditto extra 1st class	80 4 "		12	-	-	12
Ditto - 1st class	70 4 "		46	1	-	47
Ditto - extra 2nd class	71 2 "		12	-	-	12
Ditto - 2nd class	61 2 "		259	9	8	276
Constables, extra rate	53 8 "		12	-	3	15
Ditto mounted	52 - "		89	-	8	97
Ditto dismounted	49 8 "		1,790	45	44	1,879
Acting Constables	44 4 "		390	20	41	451
Sub-Constables, of 20 years' service, and upwards	42 18 "		853	5	-	858
Ditto - of 12 years' service, and under 20	41 12 "		1,760	43	14	1,817
Ditto - of 6 years' service, and under 12	39 - "		1,949	115	43	2,107
Ditto - of 6 months' service, and under 6 years	36 8 "		3,760	203	87	4,050
Under 6 months' service	31 4 "		637	-	-	637
TOTAL	- - -		* 11,867	† 446	‡ 259	12,572
Horses	- - -		330	10	40	380

* This number includes 400 men appointed to aid in the suppression of illicit distillation, 241 mounted Sub-Constables, and 550 recruits at depôt towards filling 888 (the total number of) vacancies in the force.

† This number includes 9 mounted Sub-Constables.

‡ This number includes 1 mounted Head Constable, 2 mounted Acting Constables, and 39 mounted Sub-Constables.

Constabulary Office, Dublin Castle, }
6 June 1868.

J. Stewart Wood,
Inspector General of Constabulary.

No. 2.—STATEMENT of SALARIES, EXTRA PAY, and ALLOWANCES of the CONSTABULARY FORCE of Ireland.

*(Extracted from the Constabulary Financial Code.)**Note.*—The Numbers of the Paragraphs refer to the Sections of the Code.*Inspector General:*

Salary	- - -	-	1,500 <i>l.</i> per annum.
Extra Pay	- - -	-	1 <i>l.</i> for each night necessarily absent from home.
Inspection Allowance	-	-	1 <i>s.</i> 6 <i>d.</i> per mile.
Travelling Allowance	-	-	The actual expense by public conveyance, so far as such is available, and mileage for the rest of the journey.

382. When proceeding on a distant inspection, the fare by public conveyance is to be charged (so far as such is available) to the locality to be inspected, and mileage thenceforward. The same rule in returning.

Allowance granted by Treasury in lieu of forage allowance - - - 100 *l.* per annum.

Deputy Inspector General:

Salary	- - -	-	1,000 <i>l.</i> per annum.
Extra Pay	- - -	-	Same as Inspector General.
Inspection Allowance	-	-	
Travelling Allowance	-	-	

Assistant Inspector General:

Salary	- - -	-	Senior, 600 <i>l.</i> ; junior, 500 <i>l.</i> per annum.
Extra Pay, per night necessarily absent from home	- - -	-	10 <i>s.</i> , except when allowed only the actual expense of public conveyance, as stated in sect. 382, in which case it is 15 <i>s.</i>
Inspection Allowance	-	-	
Travelling Allowance	-	-	1 <i>s.</i> per mile outside a radius of 20 miles, subject to the same rule as to distant Inspections, as in sect. 382.
Forage Allowance	-	-	The actual expense by public conveyance, so far as such is available; mileage for the rest of the journey. But no mileage or travelling allowance granted, unless he proceed beyond a radius of 20 miles.
Forage Allowance	-	-	For two private Horses at 2 <i>s.</i> per diem each.

Commandant of the Depot:

Salary	- - -	-	Same in all respects as Assistant Inspector General.
Extra Pay	- - -	-	
Travelling Allowance	-	-	
Forage Allowance	-	-	

Receiver:

Salary	- - -	-	100 <i>l.</i> per annum (in addition to salary as Deputy Assistant Paymaster General).
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Surgeon:

Salary	- - -	-	300 <i>l.</i> per annum.
Extra Pay	- - -	-	10 <i>s.</i> per night necessarily absent from home.
Travelling Allowance	-	-	Fare by public conveyance, or where there is none, 1 <i>s.</i> per mile.
Forage Allowance	-	-	For one private Horse at 2 <i>s.</i> per diem.

Town Inspector of Belfast	-	-	450 <i>l.</i> per annum.
	-	-	40 <i>l.</i> per annum, Lodging Allowance.*

First

* This increased rate is not regarded as permanent.

First County Inspector :

Salary - - - - 300 *l.* per annum.

Ditto if on Good Service Pay, 350 *l.* ditto.

Lodging Allowance, when }
not accommodated with } 20 *l.* 16 *s.* per annum.
public quarters - - }

Fuel and Light, when so }
accommodated, and not } 2 *s.* 9 *d.* per week.
in receipt of Lodging }
Money - - - }

Forage Allowance - { For two private Horses at 2 *s.* per diem each.
For each public Horse at 1 *s.* 8 *d.* per diem.

Stationery ditto - - 8 *l.* per annum.

Office, Fuel, and Light ditto 18 *l.* 5 *s.* ditto.

Extra Pay - - - - 10 *s.* per night necessarily absent on any duty from home.

Inspection Allowance - 9 *d.* per mile, outside a radius of 10 miles. If any Station is not visited, a deduction must be made for the distance to and from such Station, reckoning from the nearest Station inspected.

Travelling Allowance - When ordered to proceed (beyond 10 miles) on special duty (whether within or without the county), or to Assizes, Sessions, &c., the actual expense by public conveyance, so far as such is available, and mileage for the rest of the journey. But in no case will he be allowed mileage within a radius of 10 miles.

383. When permanently removed from one Station to another (if not at his own request, or on promotion, or for misconduct), the actual expense will be allowed, not exceeding the amount of mileage between the two Stations, and 30 days' extra pay taken together.

Second County Inspector :

Salary - - - - 270 *l.* per annum.

Ditto if on Good Service Pay 320 *l.* ditto.

All other allowances same in all respects as First County Inspector.

Barrackmaster, and Storekeeper of the Dépôt :

Salary as Paymaster - 200 *l.* per annum.

Extra Allowance as Bar- }
rackmaster and Store- } 5 *s.* per diem.
keeper - - - }

Allowance for Lodging, }
Fuel, and Light, when } 2 *s.* 3 *d.* per diem.
not accommodated at }
the Dépôt - - - }

Extra Pay - - - - 8 *s.* per night necessarily absent from home on any duty.

Travelling Allowance - Fare by public conveyance; or, where there is none, 9 *d.* per mile.

Adjutant, Dépôt :

Allowance, in addition to }
his Salary and Allow- } 4 *s.* per diem.
ances as Sub-Inspector }

Allowance for Lodging, }
Fuel, and Light, when } 2 *s.* 3 *d.* per diem.
not accommodated at }
Dépôt - - - }

First Sub-Inspector :

Salary - - - -	200 l. per annum.
Ditto if on Good Service Pay, 230 l.	ditto.
Lodging Allowance,* when not accommodated with quarters at the public expense - - - -	} 18 l. 5 s. per annum.
Fuel and Light, when ac- commodated, and not in receipt of Lodging Money - - - -	
	} Same as County Inspector.
Forage Allowance - -	{ For one private Horse at 2 s. per diem. For each public Horse at 1 s. 8 d. ditto.
Stationery ditto - -	
Extra Pay - - -	{ 8 s. per night necessarily absent from home on any duty. 4 s. for 10 consecutive hours absent on duty, as explained in sect. 400.
Travelling Allowance -	
	When ordered to proceed on special duty, or to Assizes, Sessions, &c., the actual expense by public conveyance, so far as such is available, and 6 d. per mile for the rest of the journey, without deduction. But in no case will he be granted mileage or travel- ling allowance, unless he proceed out of his district, and beyond a radius of 10 miles.

384. When permanently removed from one Station to another, the rule laid down in sect. 38 is to be observed.

385. When removed temporarily to do duty in other districts, Sub-Inspectors will not be allowed extra pay for more than 30 days.

Allowance for payment of Pensioners, 3 d. per man per quarter.

Second Sub-Inspector :

Salary - - - -	150 l. per annum.
Ditto if on Good Service Pay	162 l. ditto.
Long Service Pay - -	Granted by the 2nd sect. of 29 & 30 Vict. c. 103, "to the Sub-In- spectors of the second class transferred from the Revenue Police to the Constabulary, or any other Sub-Inspectors of the second class, at any time in receipt of Thirty-six pounds per annum, Long Service Pay, who shall be paid at the rate of their present salaries, with their present Long Service Pay, until promoted to the rank of Sub-Inspector of the first class, when they shall be paid at the same rate as the other Sub-Inspectors of that class are authorised to be paid."
Lodging Allowance, if not accommodated with quarters at the public expense - - - -	} 15 l. 12 s. per annum.

All other allowances same in all respects as First Sub-Inspector.

Third Sub-Inspector :

Salary - - - -	125 l. per annum.
Ditto if on Good Service Pay, 137 l.	ditto.

All other allowances same in all respects as Second Sub-Inspector, except Long Service Pay.

Veterinary Surgeon :

Salary - - - -	100 l. per annum.
Extra Pay - - - -	10 s. per night necessarily absent from home on duty.
Travelling Allowance -	The actual expense of public conveyance; when travelling to and from fairs to which a public conveyance is not available, 1 s. per mile.
Farriery Allowance -	1 d. per diem for each Horse at Depôt, out of which he is to defray the expense of shoeing and medicine.

Head

* Lodging Allowance to each Sub-Inspector in the Town of Belfast, 30 l. per annum. But this increased rate has not been made permanent.

Head Constable :

Salary	Major - - -	80 l. 4 s. per annum.
	Extra First Class -	80 l. 4 s. "
	First Class - - -	70 l. 4 s. "
	Extra Second Class	71 l. 2 s. "
	Second Class - - -	61 l. 2 s. "
Allowance for repair of Arms and Accoutrements - - -		3 s. "
Allowance for Straw - - -		2 d. per month.
Extra Pay - - -	{ 2 s. per night necessarily absent from Station, when attending Assizes, Quarter Sessions, or Elections.	
	{ 1 s. 6 d. per night necessarily absent from Station on any other duty, except patrols, or in the execution of warrants.	
	{ 9 d. for 10 consecutive hours' absence on duty, as explained in sect. 400.	
Marching Money - -	When the distance exceeds 12 miles (and as explained in sect. 396), 1 s. 6 d. for every 12 miles; 9 miles over 12, 24, 36, &c., to be counted as an additional 12.	
Allowance for alteration of Clothing - - -		{ 2 s. 6 d. for each tunic. 9 d. for each pair of trousers.

Constable :

Salary, per annum -	Extra rate -	53 l. 8 s.
	Cavalry -	Are paid, by the 10th sect. of 29 & 30 Vict. c. 103, 1 s. per week in addition to the pay of an infantry constable, with an allowance of 9 s. 4 d. per annum for repairs of horse appointments and saddlery.
	Infantry -	49 l. 8 s.
Allowance for repair of Arms and Accoutrements - - -		3 s. per annum.
Allowance for Straw - - -		2 d. per month.
Extra Pay - - -	{ 1 s. 6 d. per night necessarily absent from Station, when attending Assizes, Quarter Sessions, or Elections.	
	{ 6 d. per night necessarily absent from Station on any other duty, except patrols, or in the execution of warrants.	
	{ 6 d. for 10 consecutive hours' absence on duty, as explained in sect. 400.	
Marching Money - -	When the distance exceeds 12 miles (and as explained in sect. 396), 1 s. for every 12 miles; 9 miles over 12, 24, 36, &c., to be counted as an additional 12.	
Allowance for alteration of Clothing - - -		{ 2 s. for each tunic. 9 d. for each pair of trousers.

Acting Constable :

Salary - - - - 44 l. 4 s. per annum.

All other allowances same in all respects as Constable.

Sub-Constables :

Salary, per annum - - Cavalry are paid, by the 10th sect. of 29 & 30 Vict. c. 103, 1 s. per week in addition to the pay of an Infantry Sub-constable, with an allowance of 9 s. 4 d. per annum for repairs of horse appointments and saddlery.

All other allowances same in all respects as Constable.

Sub-Constables - - -			£. s. d.
	{ Of 20 years' service and upwards - - -		48 18 -
	{ Of 12 years' service and under 20 - - -		41 12 -
	{ Of 6 years' service and under 12 - - -		39 - -
	{ Of 6 months' service and under 6 years - - -		36 8 -
		{ Under 6 months' service - - -	31 4 -

Head and other Constables stationed at Belfast are granted 1 s. per week in addition to their pay, with a view to meet the extra expense for lodging and living, to which the men serving in that town are exposed, as compared with the remainder of the force, 29 & 30 Vict. c. 103, sect. 10.

388. Gratuities and pensions will be calculated in accordance with the provisions of 29 & 30 Vict. c. 103.

On Duty in Plain Clothes.

391. Rates of extra pay to Head and other Constables for each night necessarily absent from home on special duty in plain clothes, subject to the Inspector General's approval of the account, which is to be submitted on the prescribed form:—

	Head Constable.	Constable, or Sub-Constable.
In the Country - -	3 s. - d. per night	2 s. - d. per night.
In Dublin - -	4 s. - d. „	2 s. 6 d. „
In England - -	5 s. - d. „	3 s. 6 d. „

392. But when Head or other Constables, absent from their Station in plain clothes, find it necessary to remain at a place for more than a week, they are not allowed to charge, beyond that period, more than one-half of the sums above stated.

*393. On Disposable Duty:**In Ireland.*

To a Head Constable (town or country) - -	4 s. 6 d. per night.
„ Constable - „ „ - -	3 s. - d. „
„ Acting or Sub-Constable „ - -	2 s. 6 d. „

Out of Ireland.

To a Head Constable - - - -	5 s. - d. „
„ all other Constables - - - -	3 s. 6 d. „

General Rules.

No greater sum will be allowed, or is to be charged, for car, coach, packet, boat, or railway fares than that actually incurred; nor will any expense whatever for information, &c., be allowed.

The fare by coach is to be for an outside place; by steamboat, for the second cabin; by railways in Ireland, for the third class; by railways in England, for the second class.

394. Special Rates of Allowance at Dépôt:

Drill.—An allowance of 5 l. per annum each is granted to six Drill Instructors at the Dépôt, one of whom is to be the Rough-riding Constable, which allowance is only to be drawn during the actual performance of the duties, and is to be forfeited when absent on leave or on the sick report. The Commandant is therefore to certify on the account, that the individuals for whom the allowance is charged have duly performed the duties for the period stated. Drill Constables may or may not, as the Inspector General may direct, be placed on the extra rate of 40 l. per annum.

Assistant Drills.—Sub Constables so employed for a period of twelve months to the satisfaction of the Adjutant and Commandant, will be promoted to the temporary rank of Acting Constable; but should they cease to discharge the duties in question, they revert to their proper rank.

Rough Riders.—Constable, *see* Drills.

Sub-Constable, 32 l. 7 s. per annum, during the actual performance of the duties, certified by the Commandant as above.

Repairs of Saddlery.—One shilling per month for each saddle in use at the Dépôt.

395. Allowances to Officers acting in the absence of others:

I.—To an Officer acting in the absence of the Commandant of the Dépôt, after the first 30 days, five shillings per diem: such allowance to be paid by the Commandant, if absent on leave; but if incapable from sickness of performing the functions of his office, or if absent on duty, the amount to be charged under the proper head, on the authority of the Inspector General, in the public accounts.

II.—To an Officer acting in the absence of a County Inspector or of the Paymaster of the Dépôt, after the first 30 days, four shillings per diem; to be paid or charged as in the preceding case. If, however, the Officer acting for a County Inspector draws the allowance for an office and for stationery, he is only entitled to the difference between these allowances and 4 s.: viz., two shillings and sevenpence per diem. County Inspector's Clerk and official books to be sent at his expense to the station of the Officer so acting, if absent for his own convenience; if absent on duty, or from sickness, the expense to be charged to the public.

III.—When a Head Constable has the charge of a district in the absence of the Sub-Inspector, or during a vacancy, he will be permitted the use of the public horse attached to the district; and such horse is to be attended, as usual, by the mounted orderly in whose care it is. The Head Constable is not entitled to the Officer's forage allowance, but he is to receive the stationery allowance of a Sub-Inspector whilst in charge of a district.

Marching Money.

396. *When granted.*—This allowance will be granted in the following cases, only, when the distance shall exceed 12 miles, viz. :—

- 1st. When on a march from one county to another.
- 2ndly. When transferred from one Station to another, whether within their own counties or otherwise, except as in section 397.
- 3rdly. When proceeding to and returning from Assizes, Quarter Sessions, and Elections.
- 4thly. When proceeding to and returning from the County Inspector's office, for examination for promotion.

397. *When not granted.*—When men are conveyed at the public expense, they will not be entitled to marching allowance; nor when they are removed at their own request, or on promotion, or for misconduct. There may, however, be special cases in which men are promoted and transferred for the good of the service; in such cases special authority for granting marching allowance may be given.

398. When the men receive marching allowance, as above, they are not to receive extra pay for the period on march; they can only receive the one or the other for the same day.

399. *Authority for Marching Money.*—It is unnecessary to submit for the Inspector General's approval, claims for marching money to which men may be duly entitled, in such cases as recruits joining or proceeding from the dépôt (who may be paid under the authority of the Commandant), or men proceeding from one county to another (who may be paid such allowance under the authority of the County Inspector); but in other cases, and especially where claims for extra pay or travelling allowance are involved, the authority of the Inspector General is indispensable to the charge.

400. *Ten Hours' Absence from Home.*—When Sub-Inspectors are employed at fairs, races, in the protection of sheriffs or of coroners, in the escort of prisoners, or on any other duty of a like nature (except on inspection, patrol, warrant, dispatch, or Petty Sessions duty), which shall necessarily detain them from their Stations for a period of not less than 10 consecutive hours, they shall be allowed one-half the amount of extra pay that they are entitled to when absent the whole night. Head Constables employed under similar circumstances, and with the like exceptions, will be entitled to 9 d., and other constables to 6 d.; provided that, in the event of any member of the force being employed on duty during 10 hours of any day, and through the night of that day, extra pay for the night only shall be allowed. Should the privilege granted by this section be in the least degree abused, it will be withdrawn.

423. *County Store.*—The allowance for an Assistant Storekeeper in each county is 10 l. per annum, including rent and other expenses of the store.

424. When the store is kept in a constabulary barrack (whether held rent-free or not), the sum of 50 s. is to be re-credited to the public, and the remaining sum of 7 l. 10 s. per annum to be paid to the Assistant Storekeeper.

Stationery Allowance.—Sixpence per month to the Head or other Constable in charge of each Station.

Medical Allowance.—One shilling per month for each Officer, Head and other Constable.

Compensation for Clothing.—When not supplied, 2 s. 7 d. per month per man.

Lodging Allowance.—When there is no barrack accommodation, not exceeding 6 s. per month per man.

J. Stewart Wood,
Inspector General.

No. 3.—SUMMARY of the TOTAL AMOUNT of FORCE employed on the 1st day of January 1868, and of the TOTAL EXPENDITURE for the said CONSTABULARY FORCE for the whole of *Ireland*, for the Year ended 31st December 1867, showing the Proportion of such Total Expenditure borne by the PUBLIC, and the Amount borne by Counties, Cities, and Towns.

No.	RANK.	Total Expense.	Portion borne by the Public.	Amount borne by Counties, Cities, and Towns.
		£. s. d.	£. s. d.	£. s. d.
1	Inspector General - - -	871,782 14 2	837,835 11 1	33,947 3 1
1	Deputy Inspector General - -			
3	Assistant Inspectors General - -			
1	Receiver - - -			
1	Surgeon - - -			
1	Veterinary Surgeon - - -			
1	Storekeeper - - -			
27	County Inspectors, 1st rate - -			
8	Ditto - - 2nd rate - -			
1	Town Inspector - - -			
6	Sub-Inspectors, Extra rate - -			
84	Ditto - 1st rate - - -			
89	Ditto - 2nd rate - - -			
89	Ditto - 3rd rate - - -			
1	Head Constable, Major - - -			
59	Ditto - - 1st class - - -			
288	Ditto - - 2nd class - - -			
1,991	Constables - - -			
451	Ditto, Acting - - -			
858	Sub-Constables, 20 years' service and upwards - - -			
1,817	Ditto - 12 years', and under 20			
2,107	Ditto - 6 years', and under 12			
4,050	Ditto - 6 months', and under 6 years' - - -			
637	Ditto - under 6 months' service			
380	Horses - - -			
72	Magistrates - - -			

Paymaster General's Office, Dublin Castle, }
20 July 1868.

P. Godfrey.

No. 4.—STATEMENT of the TOTAL EXPENDITURE of the CONSTABULARY FORCE of *Ireland*, in each County, County of a City, and County of a Town, Paid in the Year ended 31 December 1867.

COUNTIES, CITIES, AND TOWNS.	EXPENDITURE.	COUNTIES, CITIES, AND TOWNS.	EXPENDITURE.
	£. s. d.		£. s. d.
Antrim, County - - -	15,158 19 11	Limerick, County - - -	30,357 8 6
Armagh " - - -	12,246 5 8	Ditto, City - - -	4,913 16 11
Carlow " - - -	8,240 8 9	Londonderry, County - -	8,697 17 11
Carrickfergus, Town - -	473 8 11	Longford " - - -	11,600 10 4
Cavan, County - - -	16,076 5 5	Louth " - - -	10,780 - 3
Clare " - - -	23,792 18 10	Mayo " - - -	23,970 2 3
Cork, East Riding - - -	27,644 13 11	Meath " - - -	19,675 6 3
Ditto, West " - - -	19,368 17 11	Monaghan " - - -	10,914 4 5
Ditto, City - - -	7,525 17 9	Queen's " - - -	14,717 12 11
Donegal, County - - -	31,747 2 10	Roscommon " - - -	23,725 8 -
Down " - - -	14,654 5 11	Sligo " - - -	13,519 19 3
Drogheda, Town - - -	2,165 5 3	Tipperary, North Riding -	30,143 2 10
Dublin, County - - -	12,978 5 11	Ditto, South " - - -	30,163 15 -
Fermanagh " - - -	10,447 3 6	Tyrone, County - - -	14,208 12 9
Galway, East Riding - -	18,787 3 -	Waterford " - - -	18,762 12 3
Ditto, West " - - -	19,687 10 3	Ditto, City - - -	4,485 6 7
Ditto, Town - - -	3,306 18 11	Westmeath, County - - -	16,751 17 5
Kerry County " - - -	17,307 5 5	Wexford " - - -	15,930 18 3
Kildare " - - -	14,671 4 2	Wicklow " - - -	13,497 17 4
Kilkenny " - - -	20,198 1 11	Depôt - - -	24,744 11 3
Ditto, City - - -	3,228 - 2	Reserve - - -	16,639 7 2
King's County " - - -	17,784 14 10	Belfast - - -	24,915 2 8
Leitrim " - - -	18,521 10 5		
		£.	714,350 - 1

ADDENDA.

ACCOUNT of other EXPENSES Paid within the Year ended 31 December 1867.

	£. s. d.
Amount of Charges on Counties, Cities, and Towns, brought forward from above - - - - -	714,350 - 1
Amount of Salaries, Allowances, and Expenses of 1 Inspector General, 1 Deputy, 3 Assistant Inspectors General, and 1 Receiver - - - - -	4,498 1 9
Amount of Inspector General's Office Account, including Salaries of Clerks and Contingencies - - - - -	5,944 1 7
General Contingencies, <i>alias</i> Miscellaneous - - - - -	1,540 19 4
Amount of Gratuities, Pensions, Superannuations, &c. - - - - -	88,670 19 3
Amount Paid to War Department within the Year 1867, for Stores issued to the Constabulary of Ireland - - - - -	56,778 12 2
TOTAL - - - £.	871,782 14 2

Paymaster General's Office, Dublin Castle, }
20 July 1868.

P. Godfrey.

No. 5.—RETURN of Existing STIPENDIARY MAGISTRATES on 1st January 1868, showing their Rates of Salaries and Allowances.

Number of Magistrates.	Salary per Annum.	Lodging Allowance per Annum.	Forage Allowance.	Stationery Allowance.	Postage.	Allowance for a Clerk.	Allowance in lieu of a Mounted Orderly.	Extra Pay.	Travelling Allowance.
	£. s. d.	£. s. d.							
20	500 - -	- - -	4 s. per diem.	£. 8 per annum.	Actual expense.	£. 36 per annum.	2 s. 4 d. per diem.	Vide Circular of 8th June 1868.	Vide Circular of 8th June 1868.
1	400 - -	100 - -							
31	400 - -	- - -							
20	300 - -	- - -							

Paymaster General's Office, }
Dublin Castle, 20 July 1868. }

P. Godfrey,
Receiver of Constabulary.

CONSTABULARY (IRELAND).

ROYAL IRISH CONSTABULARY.

RETURNS showing the STRENGTH, &c., of the
CONSTABULARY FORCE serving in *Ireland* on
1st January 1868.

(Pursuant to Act 6 WILL. 4, c. 13, s. 57.)

Ordered, by The House of Commons, to be Printed,
27 July 1868.

476.

Under 2 oz.

CONSTABULARY FINES AND FEES FUND (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 25 February 1868;—*for*,

STATEMENT “of FINES, PENALTIES, and FEES from which the CONSTABULARY FINES and FEES FUND (IRELAND) has accumulated, and which it is proposed by the FINES and FEES (IRELAND) BILL to transfer to the CONSOLIDATED FUND, showing the Acts of Parliament which applied each of such FINES, PENALTIES, and FEES towards the diminution of the Expenses of the CONSTABULARY FORCE, and other Acts bearing upon the same.”

THE Fines, Penalties, &c., in question are referred to in the Act 1 & 2 Vict. c. 99, and in the subsequent Act 6 & 7 Vict. c. 56, by which the first statute was repealed. They are therein described as “any fines, penalties on summary conviction or otherwise, deodands or amerciaments, which shall hereafter be imposed on any person or persons whatsoever by any court in Ireland, or by any coroner or justice or justices of the peace, or other public officer in any way empowered by law to impose the same, and also any recognisances which shall be forfeited and ordered to be estreated, and any issues directed to be levied in or by such court or authority.”

The Acts by which such fines, &c., were directed to be applied towards the diminution of the expenses of the Constabulary Force were the 1 & 2 Vict. c. 99, s. 15, and 6 & 7 Vict. c. 56, s. 33. The latter statute directed that so much of the counties' fines and penalties accounts as was now already appropriated by any Act or Acts to any special purpose, should be carried to the credit of the several counties from which the same should have been received, in proportion to the amount received from each, and should be applied in diminution of the charge to which such county or district shall be liable for the moiety or proportion payable by it of the expenses of the Constabulary Force employed therein.

By the Act 9 & 10 Vict., c. 97, so much of previous statutes as provided that one moiety of the moneys advanced out of the Consolidated Fund for the payment of the expenses of the Constabulary Force should be defrayed by any county, &c., in Ireland, or by presentment of any Grand Jury in Ireland, was repealed, save as regards any extra force applied for by the magistrates, and all charges and expenses of the Constabulary Force and the Reserve Force, with the above exception, were to be charged upon the Consolidated Fund.

Treasury Chambers, }
25 February 1868. J

GEORGE WARD HUNT.

CONSTABULARY FINES AND FEES FUND
(IRELAND).

STATEMENT of FINES, PENALTIES, and FEES from which the CONSTABULARY FINES and FEES FUND (IRELAND) has accumulated, and which it is proposed by the FINES and FEES (IRELAND) BILL to transfer to the CONSOLIDATED FUND, showing the Acts of Parliament which applied each of such FINES, PENALTIES, and FEES towards the diminution of the Expenses of the CONSTABULARY FORCE, and other Acts bearing upon the same.

(*Mr. Hunt.*)

*Ordered, by The House of Commons, to be Printed,
25 February 1868.*

DUBLIN METROPOLITAN POLICE.

ABSTRACT ACCOUNT of all MONEYS RECEIVED and EXPENDED on Account of the DUBLIN METROPOLITAN POLICE ESTABLISHMENT and POLICE COURTS, in the Year ended 31 December 1867.

INCOME.

	Local Income.	TOTAL.
	£. s. d.	£. s. d.
To Balance on 1st January 1867 - - - - -	- - -	9,292 19 7
" Treasury Issue, per Paymaster General - - - - -	- - -	52,600 - -
" Fines and Penalties - - - - -	4,668 2 9	
" Fees from Police Courts - - - - -	912 18 -	
" Police Tax, per Collector General - - - - -	25,110 13 2	
" Carriage Revenue - - - - -	5,276 7 6	
" Pawnbrokers' License Duty - - - - -	5,630 16 2	
" Publicans' Certificate Fees - - - - -	357 10 -	
" Incidental Income - - - - -	2,249 2 10	
Local Income - - - - -		44,205 10 5
TOTAL - - - £.		106,098 10 -

EXPENDITURE.

	Police Courts.	Police Establishment.	TOTAL.
	£. s. d.	£. s. d.	£. s. d.
By Rents - - - - -	237 14 8	889 7 10	1,127 2 6
" Taxes - - - - -	35 13 -	178 3 5	213 16 5
" Building, Repairs, Furniture, Bedding, &c. - - - - -	51 2 1	2,991 10 6	3,042 12 7
" Salaries - - - - -	7,224 6 10	2,063 13 3	9,288 - 1
" Pay of the Force :			
Superintendents - - - - -	- - -	1,462 4 -	49,088 10 2
Inspectors - - - - -	- - -	2,931 19 -	
Acting Inspectors, Serjeants, and Constables - - - - -	- - -	44,694 7 2	
" Extra Pay - - - - -	- - -	1,008 17 11	1,008 17 11
" Rewards - - - - -	- - -	652 3 -	652 3 -
" Wages of Housekeepers - - - - -	104 - -	52 - -	156 - -
" Allowances to Superintendents, &c. - - - - -	- - -	1,024 7 7	1,024 7 7
" Clothing and Equipments - - - - -	- - -	5,857 12 8	5,857 12 8
" Fuel and Light - - - - -	57 12 6	1,556 10 5	1,614 2 11
" Horses, Forage, &c. - - - - -	- - -	806 11 9	806 11 9
" Newspapers and Advertisements - - - - -	7 16 -	58 18 7	66 14 7
" Gratuities for Special Services - - - - -	- - -	2,946 10 -	2,946 10 -
" Ditto to Constables, &c., discharged unfit - - - - -	- - -	678 10 9	678 10 9
" Law Expenses - - - - -	- - -	112 15 7	112 15 7
" Pensions - - - - -	1,535 - 8	18,403 - 2	19,938 - 10
" Income Tax from Salaries, Pay, and Pensions - - - - -	137 16 -	161 16 10	299 12 10
" Incidents :			
Superintendents - - - - -	- - -	799 2 9	1,445 13 7
Miscellaneous - - - - -	- - -	646 10 10	
£.	9,391 1 9	89,976 14 -	99,367 15 9
By Balance on 31st December 1867 - - - - -	- - -	- - -	6,730 14 3
TOTAL - - -			106,098 10 -

Metropolitan Police Office,
Dublin Castle, 16 January 1868.}

Jas. Hanlon,
Accountant.

Submitted,
Henry Atwell Lake,
Commissioner of Police.

DUBLIN METROPOLITAN POLICE.

ABSTRACT ACCOUNT of all MONIES
RECEIVED and EXPENDED on Account of
the DUBLIN METROPOLITAN POLICE FORCE
and POLICE COURTS, in the Year ended
31 December 1867.

(Presented pursuant to Act of Parliament.)

*Ordered, by The House of Commons, to be Printed,
13 March 1868.*

499

POLICE BARRACKS (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 2 April 1868;—for,

RETURNS “of the Number of POLICE BARRACKS in each COUNTY in *Ireland*
which are considered to be in a Satisfactory Condition, both as to the
Security and Health of the Constabulary :”

“Of the Number in each County the Defective Condition of which Representa-
tion has been made to the Government :”

“Of the Number in each County which the Landlords have agreed to Fortify on
the Government Plan :”

“And, of the Average Cost of DEFENCES of each BARRACK Completed.”

(*Lord Otho FitzGerald.*)

Ordered, by The House of Commons, to be Printed,
20 May 1868.

RETURN of the Number of POLICE BARRACKS in each COUNTY in *Ireland* which are considered to be in a Satisfactory Condition, both as to the Security and Health of the Constabulary; of the Number in each County the Defective Condition of which representation has been made to the Government; of the Number in each County which the Landlords have agreed to Fortify on the Government Plan; and, of the Average Cost of DEFENCES of each BARRACK completed.

Submitted,

Constabulary Office, Dublin Castle,
9 May 1868.

REFERRING to the above Order of the House of Commons, dated the 2nd April 1868, I have to state that, feeling it exceedingly difficult to make out a general Return in compliance therewith, I think it better to transmit replies received from the several county inspectors of the provinces of Leinster, Connaught, and Munster, upon the subject.

It has not been proposed to extend these works to the Province of Ulster.

G. E. Hillier,
D. I. G.

RETURN of the Number of POLICE BARRACKS in each COUNTY in *Ireland* which are considered to be in a Satisfactory Condition, both as to the Security and Health of the Constabulary; of the Number in each County the Defective Condition of which representation has been made to the Government; of the Number in each County which the Landlords have agreed to Fortify on the Government Plan; and, of the Average Cost of DEFENCES of each BARRACK completed.

NAME OF COUNTY.	Number of Police Barracks in each County which are considered to be in a satisfactory Condition, both as to the Security and Health of the Constabulary.	Number of Barracks of the Defective Condition of which representation has been made to the Government.	Number which the Landlords have agreed to Fortify on the Government Plan.	Average Cost of Defences of each Barrack Completed.
PROVINCE OF LEINSTER:				
Carlow County - - -	No barrack in this county is in a satisfactory state, as regards the security of the constabulary. There are only four, and considered unhealthy.	- 12 -	- 10 -	Nil; none completed as yet.
Dublin County - - -	- - - 7 - - -	- 10 -	- 17 -	36 l. 6 s. 4 d.
Kildare County - - -	- - - 23 - - -	- 8 -	- 10 -	Only one completed, at a cost of 50 l.
Kilkenny County - - -	- - - 7 - - -	- 5 -	- 19 -	44 l. 13 s.
King's County - - -	Two in point of security; 47 healthy	- 14 -	- 18 -	About 40 l.
Longford County - - -	27 satisfactory, as regards the health of the constabulary, but partially insecure.	- none	- 3 -	50 l.
Louth County - - -	- - - 16 - - -	- 3 - and 6 not represented. Total defective, 9.	- 10 -	39 l. 2 s. 6 d.*
Meath County - - -	- - - 28 - - -	- 22 -	- 12 -	Nil.

* Taken from estimates of four barracks. Only one in county completed, at 44 l. 9 s. 11 d.

NAME OF COUNTY.	Number of Police Barracks in each County which are considered to be in a Satisfactory Condition, both as to the Security and Health of the Constabulary.	Number of Barracks, of the Defective Condition of which representation has been made to the Government.	Number which the Landlords have agreed to Fortify on the Government Plan.	Average Cost of Defences of each Barrack Completed.
PROVINCE OF LEINSTER—continued.				
Queen's County - - -	Five secure and healthy ; 27 insecure, but healthy ; one insecure and unhealthy.	- 23 -	- 6 -	55 <i>l.</i>
Westmeath County - -	None satisfactory as to security ; 47 satisfactory as to health.	- 47 - Report dated 7 Dec. 1867.	- 3 -	None completed as yet.
Wexford County - - -	None in a state of defence - -	- 10 -	Landlords of 20 out of 40 barracks have consented to fortify, but no agreement entered into yet.	Not known ; no defences erected as yet.
Wicklow County - -	As to security, only one at present prepared, but 10 more expected shortly to be done. None to be termed unhealthy.	- 22 - (1 military omitted.)	- 12 -	23 <i>l.</i> 16 <i>s.</i> 6 <i>d.</i> is the cost of one (partially) done ; two more (only) estimated at upwards of 40 <i>l.</i> and 70 <i>l.</i> ; no others calculated yet.
PROVINCE OF CONNAUGHT:				
Galway County (East Riding) - - -	Nil - -	- 46 -	- 20 -	No barrack in this riding has yet been put into a state of defence.
Galway County (West Riding) - -	None secure ; all healthy (43) - -	- Nil -	1 (Headford)	None.
Galway Town County - -	None secure ; all healthy (4) - -	- Nil -	Nil -	None.
Leitrim County - -	None, as regards security - -	- None -	Eight (8), exclusive of one Government building, to be done by Commissioners of Public Works.	None yet quite completed ; but the only approved tender shows a cost of 64 <i>l.</i> 10 <i>s.</i> , in the case, however, of a large sized barrack.
Mayo County - - -	47 healthy, and secured in the ordinary way.	- 2 - No representation made to the Government	- 10 -	No works having as yet been commenced, the average cost cannot be given.
Roscommon County - - -	- 53 - -	- 1 -	- 17 -	None yet completed.
Sligo County - - -	One ; Sligo Barrack - -	- 34 -	- 7 -	No expense incurred as yet.
PROVINCE OF MUNSTER:				
Clare County - - -	- - - None - -	- 54 -	- 3 -	45 <i>l.</i>
Cork County (East Riding) - -	Seven, as regards security ; 63, as regards health, but not security.	- 47 -	- 11 -	Not known ; none yet completed.
City of Cork County - - -	- 5 - -	- 10 -	- - -	-
Cork County (West Riding) - -	- 42 - -	- 9 -	- 31 -	About 60 <i>l.</i>
Kerry County - - -	- - - None - -	- 27 -	- 11 -	50 <i>l.</i>
Limerick County and City - -	- - - 3 - -	- 63 -	- 19 -	41 <i>l.</i> 13 <i>s.</i> 11 <i>d.</i>
Tipperary County (North Riding.) - -	- - - 12 - -	- 29 -	- 19 -	Cannot be given, none being completed.
Tipperary County (South Riding.) - -	As to security, 4 ; as to health, 59 -	- 1 -	- 26 -	Defences not yet completed ; cost not ascertained.
Waterford County and City - -	- - - 1 - -	- 17 -	- 25 -	40 <i>l.</i>

POLICE BARRACKS (IRELAND).

RETURN of the Number of Police Barracks in each County in *Ireland* which are considered to be in a Satisfactory Condition, both as to the Security and Health of the Constabulary ; of the Number in each County the Defective Condition of which representation has been made to the Government ; of the Number in each County which the Landlords have agreed to Fortify on the Government Plan ; and, of the Average Cost of DEFENCES of each BARRACK completed.

(*Lord Otto FitzGerald.*)

*Ordered by The House of Commons, to be Printed,
20 May 1868.*

MATTHEW LYNAGH.

RETURN to an Order of the Honourable The House of Commons,
dated 10 March 1868 ;—for,

COPY “ of REPORT of the COMMISSIONERS appointed by the Lord Lieutenant to inquire into all the Circumstances concerning the Death of a CONVICT named *Matthew Lynagh*, who died in Mountjoy Prison on the 12th day of February last.”

To His Excellency *James Marquess of Abercorn*, K.G., Lord Lieutenant General,
and General Governor of *Ireland*.

May it please your Excellency,

Dublin, 4 March 1868.

WE, the Commissioners appointed by your Excellency to “inquire into all the circumstances concerning the death of a convict named Matthew Lynagh, who died in Mountjoy Male Convict Prison on the 12th ultimo,” have now the honour to submit to your Excellency the following report :—

We held an inquiry at Mountjoy Prison on the 28th and 29th ultimo, and on the 2nd instant, and we append to our Report the evidence taken by us, as well as certain extracts from the prison books, and other documents bearing on the case ; also a Report from Dr. Young, the Resident Medical Officer of the prison.

We considered ourselves empowered by the 16th section of 14 & 15 Vict. c. 99, to administer an oath to any witness willing to be sworn, and we deemed it advisable to take the evidence at the inquiry on oath, none of the witnesses having expressed any objection to that course.

The convict, Matthew Lynagh, was admitted to Mountjoy Prison on the 6th of July 1864 ; he was then forty-three years of age, and was sentenced to five years' penal servitude for “stealing from person.”

This was his second conviction, as he had previously, on the 3rd of January 1853, been sentenced to ten years' penal servitude for “robbery from person ;” he was released on license in July 1857, but on the revocation of his license in July 1859, he was committed to Mountjoy Prison, and was discharged on completion of his sentence on 2nd January 1863.

On being received into Mountjoy Prison in July 1864, he was kept in separate confinement for eight months ; and from the medical officer's inspection book it would appear that he was, on admission, considered to be a healthy man ; he was, however, in the month of December 1864 taken into hospital, and treated for scurvy, and remained in hospital one month.

From the 6th March 1865 to the 25th January last, he worked in association at his trade as a shoemaker, sleeping in his cell at night. He is described by the witnesses as a thin, delicate-looking man ; but, as far as can be ascertained, he was never absent from work on account of illness during the whole of the time mentioned.

On the 4th of October last, the medical officer ordered him a cough mixture with opium, and on the 17th December a dose of oil with laudanum, but he does not appear to have been ill at any other time during the two years and ten months he worked in association ; and the governor, the assistant chaplain, and the warders concur in stating that up to the 22nd of January last, he did not complain of illness. While he worked in association his diet consisted on four days of the week of 24 oz. bread, 9½ oz. of beef, 2 lbs. of potatoes, 1 pint of coffee, 1 pint of soup, and ¾ of a pint of new milk daily ; and on three days of the week of 28 oz. of bread, 1 quart of stirabout, and 2½ pints of new milk ; and during this time he was only confined to his cell from twelve to fourteen hours on an average out of the twenty-four.

Upon the 22nd January last he appears to have had an attack of diarrhœa, but continued to work up to the 25th. The medical officer saw him on the 22nd, and gave him an oil and laudanum draught; he also ordered him an oil draught on the 25th, and states that the diarrhœa and griping pains of which the man complained soon yielded to treatment. However, on the 26th, Lynagh was unable to go out to exercise, and the medical officer visited him in his cell, and prescribed for him. Dr. Young states that the patient was better on the 27th and 28th, but that on the 29th, the symptoms having re-appeared, he renewed the treatment, and that from the 30th to the 6th of February the man was so much improved that he only resorted to precautionary measures. The medical officer seems to have visited Lynagh in his cell every day from the 26th of January to the 1st of February; and besides giving him medicine, and treating him for diarrhœa, he ordered him tea on the 26th of January; on the 29th, rice boiled in milk, and the same on the 1st of February. On the 2nd of February the chief warder, hearing that Lynagh complained of thirst, ordered him milk on his own responsibility; and on the 3rd the medical officer, hearing from the chief warder that the man wished for a change of diet, ordered him bread and milk, in lieu of meat and soup.

Dr. Young states that on the 1st of February he considered Lynagh convalescent, and that he did not visit him on the 2nd, 3rd, and 4th, because he was not on the sick report, as it is not the practice for a medical officer to repeat his visits to a prisoner in a cell unless his name is again sent to him; and that being called on to see Lynagh on the 5th of February, he found he only wished for a change of diet, which was accordingly ordered for him, and that the diarrhœa had not returned. On the 6th of February the medical officer was again required to visit Lynagh, and found that the diarrhœa had re-appeared, accompanied with excessive thirst, and says that he then deemed it necessary to have the man removed to hospital for treatment and for observation, but not before, as up to that period he considered him "as well off in his quiet well-ventilated cell."

He states, further, that hitherto he had never observed any symptoms of consumption, but that on the 6th of February he suspected that Lynagh had phthisis or diabetes, from his languor and thirst; the evidence of the chaplains, the governor, and the warders show that he had never complained of any chest affection, and that they had no reason to think he was suffering from such a disease.

It was not till after his admission to hospital that the medical officer ascertained, by auscultation and percussion, that he had pulmonary consumption, and he then considered that the only treatment necessary was nourishing and sustaining diet.

On the 7th of February his diet in hospital was bread and milk and rice; and on the 8th it was changed to bread and milk, mutton, and tea, which he received daily till he died. On the 10th, 11th, and 12th he was ordered wine.

The hospital warder, who is a man of eighteen years' experience in that capacity, states that he did not think Lynagh's was a bad case when he took him in, and that he did not notice any cough the day he came in, but that on the following day he heard the cough, which from that time continued to increase.

On the 12th of February the assistant hospital warder called the attention of the Roman Catholic chaplain to the case, as it seems the chaplain requires this officer to give him notice when a patient appears to be very ill. This warder states that he did not consider that Lynagh would die that night, but thought it safer that he should receive the rites of the Church; the head hospital warder was also of opinion that the man was not in immediate danger, but he died that night at about 10 o'clock.

The coroner received notice of the death from the governor next day and attended at the prison, where he saw the body, and having inquired into the circumstances of the case, he stated to the governor that he did not consider it necessary to hold an inquest.

The Rev. Mr. Cody, the Roman Catholic chaplain of the prison, was afterwards informed of the decision the coroner had arrived at, and in the evening addressed a letter to him; in that letter the Rev. Mr. Cody states:

"In consequence of circumstances connected with the death of the prisoner Matthew Lynagh, upon whom you are to hold an inquest at Mountjoy Prison, " and

“and fearing that there may have been neglect, I should like to be examined in the case, &c.” He admitted in his evidence that he wrote the letter with the view of having an inquest held, and that he did not wish to let the coroner know that he was aware he had decided not to do so.

It was in consequence of the communication received by him from the Rev. Mr. Cody that the coroner determined to hold an inquest, and he then issued his precept authorising the police to summon a jury.

The jury at the inquest found that the convict, Matthew Lynagh, died of pulmonary consumption, and added that they were of opinion “that deceased might have been earlier sent to hospital, and that the doctor of the prison might be more attentive to extern patients.”

We would beg to direct your Excellency’s notice to the fact, that in the extract from the “Freeman’s Journal,” containing a report of the inquest, and forwarded to us with the official papers relating to the case, the word “should” has been substituted for the word “might” in the two places in which that word occurs in the verdict.

Having now detailed the history of this case, and all the particulars we could ascertain respecting the state of health and treatment of the convict, Lynagh, in prison, we think it may be advisable that we should state whether it is our opinion that his detention in a cell during part of his illness had a prejudicial effect upon his health, and also whether, from the nature of his case, his death may have been occasioned or hastened by neglect.

In regard to the first point, we consider that, as a general rule, the practice of treating a prisoner in his cell when he is confined to bed from sickness, and when there is vacant accommodation in the hospital, is one, though not introduced by Dr. Young, that is open to serious objection; the change from constant employment, or exercise, with other prisoners during the day to separate confinement in a cell, relieved only by visits from prison officials, must cause depression of spirits; and the mind acting on the body might in many cases have an injurious effect on the patient, and protract his recovery. But the degree in which this course is objectionable must vary in a great measure according to the temperament of the patient and other circumstances; and we think that the case of the convict, Lynagh, was one in which the objection applied with less force than it might in many others; he appears to have been a man of a quiet passive disposition, and it must be observed that he frequently sat up and dressed himself, and was in the daily expectation of returning to his work; and further, that on Sunday the 2nd of February, he was able to leave his cell, and to go to chapel. The assistant chaplain, who saw him nearly every day, states that he does not recollect having ever noticed that the cell was offensive, or unpleasantly warm; and it appears that though Lynagh was constantly seen by the assistant chaplain, the chief warder and others, and that he was visited about eight times each day by Warder Byrne, he never expressed to any person a desire to be removed to hospital.

With reference to the express nature of Matthew Lynagh’s case, it is necessary to allude to its medical features. We find it to have been one of chronic or latent phthisis, such as occasionally occurs in persons of his condition of life. From incisions made into the substance of the lungs by Dr. White, the surgeon who made the post-mortem examination for the inquest, it appears that these organs were infiltrated with tubercular matter, and studded with abscesses of various size; but each abscess surrounded by a densely firm membrane. It is to this membrane that the absence of the ordinary symptoms of consumption was owing, because the matter contained in the cavities was thereby prevented from passing up through the air-passages into the mouth, and cough and expectoration consequently not produced. The density of the walls of these abscesses showed further the slow form of the tubercular deposit, and the very gradual progress of the disease, so tardy indeed as not to create any constitutional irritation, and therefore neither suffering nor complaint. The purging which ran this man down, from the suddenness of its accession, appears to have been that of common diarrhœa, and not the form peculiar to consumption, because on examination of the intestines they were found by Dr. White to be in a natural condition, and free from all tubercular deposit, whilst the diarrhœa yielded to treatment, which it would not have done had it been otherwise. The cough which he suffered from in hospital, and which set in on the day after his admission, was apparently the result of cold contracted in his transit from prison;

under this, however, he rapidly succumbed in consequence of the organically diseased condition of the lungs.

Taking, therefore, all the circumstances of the case into consideration, we do not consider that the death of the convict, Matthew Lynagh, was caused or accelerated by detention in his cell after the 26th of January, as it would inevitably have followed had he been removed to the hospital from the workshop direct; and we are further of opinion that the man was not neglected during his illness by Dr. Young or the other officers of the prison.

We have, &c.

(signed) *Jolliffe Tufnell, F.R.C.S.I.*
John Lentaigne.
Henry Robinson.

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APPENDIX.

EVIDENCE.

ROBERT DEANE SPREAD, Governor of Mountjoy Prison, having been duly sworn,
states:—

THE documents I produce, signed by me, I believe to be correct extracts from the prison records.

From the date of Matthew Lynagh's admission into the prison on July 6th, 1864, up to March 6th, 1865, he worked in a cell, either picking oakum or at his trade, which is the usual course in the cases of such prisoners; from that time to the 26th of January, 1868, he worked in association during the day, sleeping in his cell at night. He worked on an average about seven hours daily, besides attending school for about an hour, and exercising about two hours, and attending religious services on four days of the week. While in association the time passed in the cell was about 12 to 14 hours, on an average, during the 24.

I was in the habit of seeing Lynagh almost every day, at his work; he appeared a worn man, but not unhealthy, and never made any complaint to me of his state of health.

I never had cause to make a report about him to the medical officer, under the 21st rule, which obliges me to do so if necessary.

He was at liberty to complain to me, if he wished, every time I saw him.

I saw him once or twice in his cell after he ceased to work, and while under treatment there; he did not express any wish to go to hospital.

I saw him daily in hospital, and there was nothing in his case to attract my attention.

On receiving the report of his death I informed the coroner of the fact, and the coroner next day saw the body, and gave me to understand he would not hold an inquest; the same evening, however, I got a note from the coroner, a copy of which I produce.

Examined by Dr. Young.—The prisoner was in bed in his cell when I saw him. I visited about mid-day.

I consider Dr. Young has been very attentive to the prisoners since his appointment, and I have heard of no complaints about him from the warders or convicts, though some of the untried prisoners have complained about not getting extra food or porter. I never heard Lynagh cough or expectorate, as far as I remember.

R. D. Spread, Governor.

Sworn before us, this 28th of February 1868,

*Joliffe Tufnell,
John Lentaigue.
Henry Robinson.*

WILLIAM WHITE, one of the Coroners of the City of Dublin, having been duly sworn,
states:—

ON the morning of the 13th instant I received a report from the Governor of Mountjoy Prison of the death of the convict Matthew Lynagh. I visited the body on that day, and inquired into the circumstances attending and preceding his death, and stated to the Governor and Dr. Young that I did not deem it necessary to hold an inquest. However, on the same evening, a message was sent to me that a gentleman wished to see me at my house, in reference to the deceased convict. I was not at home when I received the message, and did not return to see the gentleman mentioned; but when I reached home later at night I found a note from the Rev. Mr. Cody, requesting that I would examine him, the other chaplain, and some of the warders, at the inquest. I produce the letter. It appeared to me that the letter was written under the impression that there was to be an inquest, and as I thought, from the anxiety manifested to have certain persons examined about the case, that there might be something of importance to be elicited respecting it, I determined to hold an inquest, and gave instructions accordingly, by issuing a precept authorising the police to summon a jury of 24 householders. The following was the verdict:

“ We find that the said Matthew Lynagh died in the Mountjoy Government Prison on “ Wednesday the 12th day of February 1868, of pulmonary consumption.

“ For self and fellow Jurors,

(signed) “ *M. Dunphy.*

“ The jury are of opinion that deceased might have been earlier sent to hospital, and “ that the doctor of the prison might be more attentive to extern patients.

(signed) “ *M. Dunphy, Philisborough.*”

REPORT RELATIVE TO THE

I have just now read the report of the above verdict, contained in the "Freeman's Journal" of the 15th instant, in which the word "should" is substituted for the word "might" in the two sentences. That newspaper report is incorrect in that particular.

Examined by Dr. Young.—When I saw the body it was very much attenuated, but not reduced to a mere skeleton. The appearance of the body accorded with the report of the case I had received.

William White, Coroner.

Sworn before us, this 28th of February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

ROBERT MACDONNELL, M.D., having been duly sworn, states,—

I was medical superintendent of Mountjoy Prison in 1864, and I saw Matthew Lynagh on admission. From my entry in the Inspection Book, to which I refer, I find that Lynagh was then a healthy man.

In December 1864 he was treated in hospital for scurvy, and remained in hospital from 7th December 1864 to 7th January 1865.

I believe that from that time he was not in hospital while I visited the prison, but I cannot remember whether I treated him in his cell.

I recollect the convict Lynagh, but I do not remember anything that would lead me to consider that he suffered from chest complaint.

Except under peculiar circumstances, it was my practice to send sick persons to hospital, if it was necessary that they should remain in bed during the day.

I had an apothecary under me, who treated trivial cases, and visited all the complaining sick daily, and whenever a prisoner was sufficiently ill to make me think that I ought to see him daily, I had him moved to the hospital, which I visited daily; now, the system is changed, as the resident medical officer must visit daily all the sick, whether they are in the hospital or in their cells.

I recollect writing a letter, in December 1863, to the then chaplains, requesting them to let me know if, in their intercourse with the prisoners, they observed any signs of mental or bodily disease, and they were in the habit of acting on my request.

I made the same request to the schoolmaster.

Examined by Dr. Young.—If I were resident medical officer of the prison, I should not think it necessary to remove a man from his cell to hospital for slight diarrhoea.

In the case of an uncomplaining man, it is quite possible that he might pass gradually into serious disease without its attracting the notice of a medical attendant.

I consider the working diet a good diet.

(signed) *Robert McDonnell, M.D.*

Sworn before us, this 28th of February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

WM. DUDLEY WHITE, having been duly sworn, states,—

I am a surgeon, and held the post-mortem examination on the body of the late Matthew Lynagh. I found he died of pulmonary consumption. I hand in a copy of my evidence before the coroner.

I adhere to all the opinions I expressed therein.

The disease was chronic phthisis; the walls of the abscess were hard and dense. I have seen many cases examined in which the patient had died from consumption.

I think the abscesses were of slow formation in the case of Lynagh; I examined the intestines, and they were in a healthy state; there were no tubercular ulcerations in the intestines, so far as I examined them; consequently, I consider the diarrhoea was of an ordinary character, and not that special to consumption. The condition was that generally found in cases of chronic phthisis.

Examined by Dr. Young.—Some of the cavities were rather large, and I could put two fingers into them; they were in both lungs; there were several cavities in the lungs.

I have seen much larger cavities in other cases.

William Dudley White,

L. & L. M. R. C. S., Ireland, and L. A. H.

Sworn before us, this 28th of February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

The Rev. MICHAEL CODY, Roman Catholic Chaplain of Mountjoy Male Prison,
having been duly sworn, states,—

I have known the late Matthew Lynagh since his admission to the prison in 1864.

I visited him on the 2nd of February, hearing that he was sick, and I remarked to the chief warder, that I thought the cell was not the right place for the patient; he was in bed; he was a quiet uncomplaining man, and I do not recollect his complaining to me; I did not notice that he coughed or expectorated; nothing occurred to lead me to think he had chest disease, but I had no knowledge of what his disease was; I believe I was told he had diarrhœa; I think I saw him twice in the cell, but I do not recollect whether it was before or after the 2nd instant.

The assistant chaplain had more special charge of Lynagh than I had.

I had a letter from Dr. McDonnell, in 1863, asking me to draw his notice to cases requiring his care; I did act on that request while Dr. McDonnell was attending, but I considered that the arrangement adopted at Dr. McDonnell's request expired when he left the prison, as he had no power to give an order to that effect, and it was a voluntary arrangement between us. Dr. Young did not ask me to adopt the same course; but I do not recollect any case in which I noticed a man who appeared to me to require medical care who was not, when I noticed him, receiving such care and treatment from Dr. Young.

I wish to refer to a letter I wrote to the directors on the subject of Lynagh's case, and to request it may be attached to my evidence. I did not call Dr. Young's notice to Lynagh, because when I first heard of his illness, I knew the doctor was attending him. When I was here on the 13th of this month, after Lynagh died, I was aware that the coroner had been here, and had stated that it was not necessary to hold an inquest; this was at about 2.30, and it was after that I wrote to the coroner. I wrote about 5 o'clock that day. I wrote with the view of having an inquest held, and I did not wish to let the coroner know that I was aware he had decided not to hold an inquest.

I wanted to see, for the advantage of the prisoners and the public, whether there had been any neglect in the case.

On the 12th instant I saw Lynagh in the hospital, and he seemed perfectly conscious. I administered the last rites of the church to him. I did so in consequence of what the warder told me of his state of health, and from considering he was in danger, judging from my observations, and from what I heard of his case from the warder.

The warder told me the doctor said the man was not in any immediate danger. The warder told me he thought the man in danger.

I always understood Dr. McDonnell's letter of 1863 to refer to cases of insanity, or tendency to insanity, more than to bodily ailments.

Michael Cody.

Sworn before us, the 28th of February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

The Rev. JAMES POTTER, Assistant Roman Catholic Chaplain of Mountjoy Prison,
having been duly sworn, states,—

I have known the deceased convict, Lynagh, for nearly two years; he was a delicate looking man, but I never knew of his being ill up to the time in January last, when he was confined to his cell from sickness, and I never heard him complain of being ill. I was in the habit of seeing and conversing with him nearly every week. When he was, on (I believe) the 26th of January, left in his cell on account of illness, I received notice of it, and I saw him that day or the next. He seemed very weak, and complained of diarrhœa and thirst, but not of anything else. I saw him nearly every day while he was in the cell, and he never complained of any illness but diarrhœa and great weakness and debility.

I think he never complained of his chest, and I did not particularly notice his coughing while in the cell. I had no idea of his having anything the matter with him but diarrhœa, till towards the end of his time in the cell, when from his great weakness, I began to suspect there must be something more the matter with him, but I did not then suspect he had consumption. I do not think he ever expressed a wish to be moved from his cell to the hospital, or complained of being left in the cell, but he was always talking of going back to his work. I saw him constantly after he went to hospital, and he was gradually sinking, and the last time I saw him was the day before he died.

While in the cell, Lynagh complained very much of thirst, and complained of having nothing to drink but cold milk or water. About three or four days before he was moved to hospital, I spoke about him to Mr. Murphy, but I did not mention that he complained of want of drink, and Mr. Murphy said the doctor was attending him. I think I did not

REPORT RELATIVE TO THE

say anything to Mr. Murphy about having the man removed to hospital. During the time I visited Lynagh in his cell, I do not recollect having ever noticed that the cell was offensive or unpleasantly close.

James Potter, Asst. R.C.C.

Sworn before us, this 29th February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

ALEXANDER DANIEL MACMANUS, Second Class Warder, having been duly sworn, states,—

I HAVE had charge, since June last, of the shoemaker's shop, in which the late convict, Lynagh, worked. I am discipline officer. Lynagh ceased to work on the 26th of January, and he had not been absent from work from illness, on any day between June and the 26th of January last. I have heard him cough, but I did not think there was much the matter with him, and I did not consider that there was anything that I ought to report as to his state of health. I recollect the hospital warder giving him medicine twice in the month of January, but I did not know what for. I knew that the prisoner had been purging for two or three days before the 26th of January: the last medicine was castor oil, and the prisoner expressed a hope that it would cure his stomach; this was the 22nd or 23rd of January. Up to the time in January he complained of the purging, I never heard him complain of any illness.

After he went to his cell on the 26th of January, it was only my duty to lock up the cell at breakfast and dinner hour, and to see the prisoner on each occasion. I saw him twice a day from the 26th of January to the 6th of February, except on the 28th, when I was on special duty. On Sunday the 2nd of February he complained of his diet, and said he could not take it, and requested me to speak to the chief warder and see if he could get milk in place of soup and beef; I did so, and the chief warder said he had rice the day before: on going up afterwards at 3 o'clock I found milk and bread had been sent to him. Lynagh never made any other complaint to me, and I frequently asked him about his health, and he always said he felt better.

He never expressed any wish to be removed from his cell to hospital, and I never spoke to him on the subject.

On the 2nd of February I had entire charge of his cell from 3 o'clock to 5.30 p.m. He was frequently up in his cell, and on Sunday, the 2nd of February, he went to chapel by his own wish.

Sworn before us, the 29th of February 1868,

A. D. McManus.

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

MICHAEL MURPHY, Chief Warder of Mountjoy Prison, having been duly sworn, states:—

I KNEW the deceased convict, Lynagh, since September last, and saw him every day. He appeared rather feeble, but not ill, and was very industrious, and appeared able to work.

He never complained to me of being ill up to the 26th of January, when it was reported to me that he was ill in his cell. I saw him nearly every day in his cell, and he complained of his bowels, but of nothing else. He was up, in the majority of times I saw him in his cell, and dressed. He never complained of being left in his cell, or expressed a wish to go to hospital.

I did not hear him cough. On one Sunday (I think the 2nd of February), I heard the man complained of thirst, and I ordered milk on my own responsibility, and reported it next day to the doctor. I ordered the milk to be warmed.

The man spoke to me about his meat and soup, which he said did not agree with him, and I spoke to the doctor, who ordered bread and milk in lieu of meat and soup.

Examined by Dr. Young.—I am of opinion that the practice of treating prisoners in their cells for bowel complaints was carried on to a greater extent in Doctor McDonnell's time than in Doctor Young's.

Michael Murphy, Chief Warder.

Sworn before us, the 29th February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

MICHAEL BYRNE, Second Class Warder, having been duly sworn, states:—

I WAS in charge of the late convict, Lynagh, since the 21st of October 1867. He appeared delicate, but I never knew him to be ill, or to leave off work till the 26th of January. I think previous to that time he may once or twice have gone to the doctor for medicine. On Sunday the 26th of January, the prisoner did not go out to walk as usual in the afternoon, and was seen by the doctor; and after that he remained in his cell under treatment. I believe he was visited every afternoon by the doctor. I heard Lynagh complain of his bowels, and I never heard him complain of anything else. I never remarked his spitting or coughing.

It was my duty to see him about eight times in the day, and to visit any sick man in his cell as often.

He used to get up constantly and sometimes dress himself, and sometimes sit up with the blanket round him; and I think he was only confined to bed during the whole day, on five or six days. He never, however, made up his bed. He was confined to bed more at the commencement of his illness in the cell, than at the latter end; and on I think the Friday or Saturday the 31st of January or 1st of February, he shaved, and told me he would go to chapel on the following Sunday. It appeared to me then that he was getting better. I did not think he had chest disease. He never expressed a wish to be moved to hospital. I did not notice that he had any unusual expectoration. Had there been any, I must have seen it.

Examined by Dr. Young.—I thought he was a fitting case for hospital, but I never said so to any one. I did not consider it my business.

Michael Byrne.

Sworn before us, on this 29th of February 1868,

Joliffe Tufnell.

John Lentaigue.

Henry Robinson.

PATRICK LAWLOR, Principal Warder, having been duly sworn, states:—

I KNEW the late convict, Lynagh, while he was in this prison. He was a thin man, but I never knew him complain of illness till January last. I saw him every day in his cell after the 26th of January, and he complained of great thirst and purging, but of nothing else, except want of appetite. He never expressed a wish to be sent to hospital. He told the doctor he was thirsty, and the doctor said there was plenty of water, and he ordered him rice, which is always boiled in milk. He was up generally; but during the last few days of being in his cell he was in bed. I had no reason to think he had chest complaint.

P. Lawlor.

Sworn before us, this 29th of February 1868,

Joliffe Tufnell.

John Lentaigue.

Henry Robinson.

ROBERT HAUGHTON, Hospital Warder, having been duly sworn, states:—

THE late convict, Lynagh, was not under my notice until admitted to hospital on February 6th, and his disease was entered in the books as diarrhoea. He had a very bad cough and expectorated; after he had been a little time in hospital, and two or three days afterwards, the doctor found he had chest disease. He appeared to be getting better, but about the fourth or fifth day he seemed to alter, and lost his appetite. He then got weaker; but I did not think the day before he died that he was going to die. The evening he died, about an hour before his death, I asked him would he like boiled milk or tea, and he said tea, and he drank part of it.

I was surprised at his dying. I had no conversation with Mr. Cody that day. I have been 18 years hospital warder, and am the senior in the hospital.

I did not think Lynagh was a bad case when I took him in, and I thought he would recover.

I thought by his appearance that two or three days would bring him round. I asked what was the matter, and he said he felt very weak.

I did not notice any cough the day he came in; but the following day I heard him cough, and it then continued to get worse.

Robert Haughton.

Sworn before us, this 29th of February 1868,

Joliffe Tufnell.

John Lentaigue.

Henry Robinson.

REPORT RELATIVE TO THE

MICHAEL DONOHUE, Assistant Hospital Warder, having been duly sworn, states:—

On the 22nd of January last I gave the late convict, Lynagh, oil and laudanum in the shop by the doctor's order; on the 25th I gave him an oil draught in the shop. On the 28th of January, the 29th of January, and the 31st of January, I gave him medicine in his cell. On the 1st of February I gave him boiled rice and milk, and on the 5th of February I again gave him rice, and on the 6th of February I also gave him rice. I saw him on each of these occasions, and I think I have heard him cough, but he told me he was purged, and he never complained of his chest or cough.

He complained of thirst. He never asked to be sent to hospital.

I did not hear him cough much in the hospital, but my duties are principally in the prison. I spoke to Father Cody on the 12th, and said the man was very ill. I did not think he would die that night, but I thought it safer, especially as I was going to be absent that night, that the man should receive the rites of the Church.

It is my duty to give medicine to the persons treated in cells.

In December 1866 there was an epidemic of choleraic diarrhoea, and the diarrhoea cases were treated in their cells, and only cholera cases went to hospital. I think that there is no difference in the practice of Dr. Young and Dr. McDonnell in regard to the treatment of convicts in their cells; but I think there are rather more untried, that is, Fenian prisoners treated in their cells now than there were.

I think Dr. McDonnell gave more medical comforts to the sick than Dr. Young. Medical comforts consist of porter, wine, tea, and mutton.

Examined by Dr. Young.—My remarks about these extras apply chiefly to the untried prisoners.

I do not think there have been serious cases of illness among convicts in hospital requiring medical comforts since September last, till Lynagh came in.

Direct Examination resumed.—On the 12th of February Mr. Cody came to the hospital in consequence of my sending for him to see Lynagh, as I knew he was very strict about this. He then asked me if I thought he ought to anoint him; and I said I thought so. I did not think it necessary to send for the doctor in the evening, and I had no notion the man was going to die that night.

Michael Donohoe.

Sworn before us, this 29th of February 1868,

Joliffe Tufnell.

John Lentaigne.

Henry Robinson.

EXTRACTS FROM PRISON BOOKS.

Register No. 6774.—Matthew Lynagh.

Date of admission to Mountjoy Prison, 6th July 1864.

28 February 1868.

R. D. Spread, Governor.

COPY OF WARRANT.

Transmit to Mountjoy Male Prison.

R. N.—J. 1/7/64.

Sir,

Dublin Castle, 30 June 1864.

I HAVE to signify the Lord Lieutenant's desire that you will receive into the Government Prison at Mountjoy, and detain until further orders, the under-mentioned number of convicts who will be transmitted to you from the gaols after named in charge of the constabulary.

Three males.

I am, &c.

The Governor of the Government
Prison at Mountjoy.

(signed) *Thom s A. Larcom.*

LIST of PRISONERS under Rule of Transportation or Penal Servitude referred to in annexed Order, who are to be Received and Detained in the Government Prison at Mountjoy.

Convicts.	Received from
William English - - - - -	Naas.
James O'Brien - - - - -	Wicklow.
Matthew Lynagh - - - - -	Waterford.

28 February 1868.

R. D. Spread, Governor.

DEATH OF MATTHEW LYNAGH, A CONVICT.

11

CRIME and SENTENCE, &c.

Register No. 6774.—Matthew Lynagh.—2nd Conviction.

Sentenced	-	-	-	-	-	5 years' penal servitude.
Date	-	-	-	-	-	27 June 1864.
Crime	-	-	-	-	-	Stealing from person.
County	-	-	-	-	-	County Waterford.

Former convictions and character:—

Twice larceny from the person. Constantly given to thieving.

Received at Mountjoy from Waterford County Gaol, 6 July 1864.

Died - - - - - 12 February 1868.

Lynagh's age on conviction, 43 years.

28 February 1868.

R. D. Spread, Governor.

CLASSIFICATION IN PRISON.

Register No. 6774.—Matthew Lynagh.

In Probation Class, from 6th July 1864 to 6th March 1865.

„ 3rd Class, from 6th March 1865 to 30th April 1865.

„ 2nd Class, from 30th April 1865 to 31st October 1865.

„ 1st Class, from 31st October 1865 to 31st October 1866.

„ Advanced Class, from 31st October 1866 to 12th February 1868.

28 February 1868.

R. D. Spread, Governor.

Register No. 6774.—Matthew Lynagh.

WORKING DIET.

Breakfast.— $\frac{3}{4}$ lb. bread and 1 pt. coffee, four days; and 1 qt. stirabout, $\frac{1}{4}$ lb. bread, and $\frac{1}{2}$ pt. new milk, three days per week.

Dinner.—9 $\frac{1}{4}$ oz. beef with bone, 1 pt. soup, and 2 lbs. potatoes four days; and $\frac{3}{4}$ lb. bread, with 1 pt. new milk, three days per week.

Supper.— $\frac{3}{4}$ lb. bread and $\frac{1}{2}$ pt. new milk daily.

28 February 1868.

R. D. Spread, Governor.

Register No. 6774.—Matthew Lynagh.

CHANGES of DIET ordered by Medical Officer, with Date of such Changes.

1868:		1868:	
Jan. - 29	6 oz. rice, boiled in milk, for dinner.	Feb. - 10	Diet in Hospital:
Feb. - 1	The same.		Bread - - - 1 lb.
Feb. - 5	The same.		Milk - - - 3 $\frac{1}{2}$ pints.
Feb. - 6	The same.		Mutton - - - $\frac{1}{2}$ lb.
			Wine - - - 2 $\frac{1}{2}$ oz.
			Tea - - - 2 pints.
Feb. - 7	Diet in Hospital:	Feb. - 11	Bread - - - 1 lb.
	Bread - - - 1 lb.		Milk - - - 3 $\frac{1}{2}$ pints.
	Milk - - - 3 $\frac{1}{2}$ pints.		Mutton - - - $\frac{1}{2}$ lb.
	Rice 6 oz., boiled in milk.		Wine - - - 2 $\frac{1}{2}$ oz.
Feb. - 8	Bread - - - 1 lb.		Tea - - - 2 pints.
	Milk - - - 4 pints.	Feb. - 12	Bread - - - 1 $\frac{1}{2}$ lb.
	Mutton - - - $\frac{1}{2}$ lb.		Milk - - - 3 $\frac{1}{2}$ pints.
	Tea - - - 2 pints.		Mutton - - - $\frac{1}{2}$ lb.
Feb. - 9	Bread - - - 1 $\frac{1}{4}$ lb.		Wine - - - 4 oz.
	Milk - - - 3 $\frac{1}{2}$ pints.		Tea - - - 2 pints.
	Mutton - - - $\frac{1}{2}$ lb.		
	Tea - - - 2 pints.		

R. D. Spread, Governor,
28 February 1868.

J. W. Young, Medical Officer,
28 February 1868.

REPORT RELATIVE TO THE

Register No. 6774.—Matthew Lynagh.

COPIES of all ENTRIES made by Dr. *Young* in his Books, under Sections 7, 8, 10, 12, 20, and 22 of the Rules defining Medical Officers' Duties :

- 1867, October 4. Cough mixture with opium.
 December 17. Dose of oil with 20 drops of laudanum.
 1868, January 22. Oil and laudanum draught.
 „ 25. Oil draught.
 „ 26. Dilute sulphuric acid, 20 drops.
 Tinct. opium, 20 drops.
 Peppermint water, 1½ oz.
 1 pint of tea.
 „ 27. Nothing.
 „ 28. Peppermint water, 2 oz.
 „ 29. Chalk mixture and rice.
 „ 30. Repeat mixture if required.
 „ 31. Repeat chalk mixture if necessary.
 February 1. Rice.
 „ 3. Bread and milk in lieu of meat and soup.
 „ 5. Rice diet for seven days.
 „ 6. For hospital this evening.
 „ 8. Tea and mutton.
 „ 10. 2½ wine daily, and continue tea and mutton.

R. D. Spread, Governor,
28 February 1868.

J. W. Young, Medical Officer,
28 February 1868.

Mountjoy Male Prison, 26 February 1868.

EXTRACT from Warder *Michael Byrne's* Book.

D.—2. Ward.

Register No. 6774, Matthew Lynagh, 26 Cell.

THIS prisoner did not go to exercise; was attended by the medical officer at 3.10 p.m.
 29 February 1868.

R. D. Spread, Governor.

DATES of Admission to Hospital and Death.

Register No. 6774.—Matthew Lynagh.

Admitted to Hospital, 6th February 1868.

Died, 12th February 1868.

R. D. Spread, Governor,
28 February 1868.

J. W. Young, Medical Officer,
28 February 1868.

MEDICAL OFFICER'S REPORT OF DEATH.

I HAVE to report the death of Register No. 6774, Matthew Lynagh, which took place at 10 o'clock p.m. on the 12th instant in hospital. Deceased was taken ill on the 23rd January last. The circumstance was communicated to me on that day. The complaint assumed a dangerous aspect on the 6th instant, when I first perceived that he had phthisis; he was treated previously for diarrhoea. I considered it a case that must end fatally, but might last for an indefinite period.

The coroner sat on the 14th, and the verdict given was, "Matthew Lynagh died in the Mountjoy Government Prison on Wednesday the 12th day of February 1868, of pulmonary consumption."

For self and fellows,
M. Dunphy.

"The jury are of opinion that deceased might have been earlier sent to hospital, and that the doctor of the prison might be more attentive to extern patients."

R. D. Spread, Governor,
28 February 1868.

J. W. Young, Medical Officer,
28 February 1868.

DEATH OF MATTHEW LYNAGH, A CONVICT.

13

LETTER of the Rev. *M. Cody* to the Coroner.

Sir,

Mountjoy Male Prison, 13 February 1868.
IN consequence of circumstances connected with the death of the prisoner, Matthew Lynagh, upon whom you are to hold an inquest at Mountjoy Prison, and fearing that there may have been neglect, I should like to be examined in the case; and I would wish also that the assistant chaplain, the Rev. Mr. Potter, the hospital warders, the principal warder Lawlor, Warders Sparks and Byrne (Michael) should be also examined regarding the particulars of the prisoner's illness, his medical treatment, &c.

I have, &c.

(signed) *Michael Cody*,
R. C. Chaplain.

Dr. White, City Coroner.

LETTER from the Coroner to the Governor.

Sir,

142, Capel-street, 7.25 p.m., 13 February 1868.
IN consequence of a report which has just reached me, I find it necessary to hold an inquest on the remains of the deceased convict, Matthew Lynagh; and I appoint 12 o'clock noon, to-morrow, for holding same; and I require you to retain the body within the prison until I shall attend for the purpose of holding such inquest.

(signed) *Wm. White*,
Coroner for the City of Dublin.

The Governor of Mountjoy Government Prison.

28 February 1868.

(A true copy.)

R. D. S., Governor.

DEPOSITIONS of Surgeon *White* at the Inquest.

County of the City of Dublin, to wit:

THE examination of *W. D. White*, of 142, Capel-street, in the parish of St. Mary, taken before me, one of the coroners of the county of the city of Dublin, this 14th of February 1868, who, being duly sworn upon oath, deposed and said:—

"I am a surgeon; I examined the body of the deceased man, and found no mark of violence on it. I made a post-mortem examination, assisted by Mr. John J. Ryan; I found morbid adhesions in several portions of the lungs, tubercular deposits and cavities in both lungs; I examined one of the kidneys and found it healthy; the stomach was also healthy, and contained some food. I consider pulmonary consumption the immediate cause of his death. I consider a confined cell an unfit place for a patient with disease of the lungs and diarrhoea. I was a student in the Meath Hospital, and I am now attached to the hospital in Jervis-street. The practice in hospitals with respect to a patient such as deceased must have been about three or four weeks ago, would be to give him the most airy and comfortable place the house afforded, with nutritious diet and warmth, and generally to give them wine, fruit, meat, eggs, or whatever they crave for, and the institution can afford."

Wm. Dudley White, L.R.C.S.,
Ireland.

The above is a true copy of the depositions of Surgeon *White*, taken by me at an inquest held at Mountjoy Government Prison on the body of the deceased convict, Matthew Lynagh, on Friday the 14th of February 1868.

All which I certify, this 29th of February 1868.

William White,
Coroner for the City of Dublin.

REPORT of the Rev. *M. Cody* to the Directors.

Gentlemen,

Mountjoy Male Prison, 16 February 1868.
I HAVE to acknowledge the receipt of the director (Mr. Barlow's) letter of the 15th instant, directing my attention to extracts (enclosed) from the "Irish Times" of the same date, purporting to be a report of the evidence given by me the previous day at an inquest held on the body of the convict Lynagh, and requesting me to explain to the directors why I did not bring the convict "Lynagh's case to the notice of the directors, the inspector or governor," as required by the printed rules under head of "Chaplains." See rule 2, page 20 of printed rules.

Rule 2 enjoins as follows: "He," the chaplain "shall be subject to no control in matters strictly within his department, but that of the Chief Secretary or of the director; he shall represent to the director, and to the inspector and governor, whatever may appear to him to be worthy of their notice, or suggest anything which he may conceive likely to prove beneficial to the prisoners, or tend to their reformation or industrial training; but he shall take care not to interfere with the established rules and regulations of the prison as to security or the routine of discipline and labour. He shall also be careful to conform to all such rules himself, so far as they apply to him." Rules, page 20.

I have never had any objection to observe this rule and to represent, verbally, or in writing, matters strictly within my department to the directors, the inspector or governor. My several communications will bear witness to the truth of what I state. Even so late as about the 17th of January last I brought under the notice of the inspector the case of Peter McDonnell, an untried prisoner, who was then during four or five weeks almost entirely confined to cell (and who is still entirely confined to cell and medically treated therein), as soon as I had observed him showing symptoms of, or a tendency to, insanity; this case of Peter McDonnell I desire now again to bring under notice and to commend it to your attention.

Later still, about the beginning of the present month I brought under the notice of the directors the case of another prisoner, James Creed, on the day I first observed in him signs of insanity; I did not require medical skill to observe in those prisoners symptoms of insanity; but, gentlemen, the case is quite different with regard to corporal diseases, such as consumption, of which poor Lynagh died. I am not a medical man nor have I any medical skill, and consequently, I should naturally distrust my own judgment. Whatever doubts I might have had with regard to the treatment of Lynagh, should have been dispelled as soon as I learned from the chief warder that he was visited and cared by the medical officer. Then the presumption was that the medical officer was competent, and that he did his duty; but, even though I may have had a doubt subsequent to the time I became aware of the attention and care the medical officer was paying to the prisoner, I would scarcely wish to cast an implied censure on the doctor by calling the attention of the directors to the case.

But, gentlemen, had I the knowledge then that I have now, I would, most undoubtedly, have written to you; had I a suspicion that the doctor was not well versed in the case of consumption in a patient far gone in that disease, a patient who had manifested what I have since learned are symptoms of consumption, viz., diarrhoea and thirst, and the last symptoms of consumption, had I imagined any such thing, or had I known other important facts, which I learned when too late, or which came to light at the inquest, I would, gentlemen, most certainly have invoked your protection for the poor man, Matthew Lynagh.

The Directors.

Yours, &c.
(signed) *Michael Cody, R.C.C.*

LETTER from Dr. McDonnell to the Chaplain.

Dear Sir,

22 December 1863.

IF, in your intercourse with the prisoners under your charge as Roman Catholic chaplain of this prison, you meet with any individuals whose want of intellectual capacity, dullness, excessive irritability of temper, eccentricity, or so forth, may cause you to suspect that they may be the subject of mental disease, or if you should have any reason to suppose that any uncomplaining prisoner is passing into a failing state of health, I shall take it as a favour if you will be good enough to direct my attention to such cases.

To the Roman Catholic
Chaplain.

(signed) *Robert McDonnell.*
(True copy.)

R. D. Spread,
28 February 1868.

REPORT addressed to the Commissioners by Dr. Young.

Register No. 6774.—Matthew Lynagh.

Mountjoy Government Prison
2 March 1868.

Gentlemen,

WITH your permission, I have the honour to state the reasons why I did not at an earlier date order this prisoner's removal to hospital.

On the 22nd January last he (with other externs) was brought before me. He then complained of ordinary diarrhoea, with flatulency and griping pains, which soon yielded to treatment. But, these symptoms having returned, I saw him again on the 26th, in bed, and prescribed for him. He was better on the 27th and 28th. On the 29th, the symptoms having then re-appeared, I renewed my treatment; and, from the 30th to the 6th of February, he was so much improved that I only resorted to precautionary measures.

On February the 6th the diarrhoea again returned, accompanied with excessive thirst. I then

I then deemed it necessary to have him removed to hospital for treatment and for observation, but not before, as up to that period I did consider he was as well off in his quiet well-ventilated cell.

Hitherto I had never observed any symptoms of consumption; though suffering from diarrhoea, it never assumed the colliquative type; I did not hear him cough, nor did I learn that he had expectorated. It is true he was of spare habit and sallow complexion, but these appearances are so common among his fellow-tradesmen (shoemakers and tailors) working within doors in sedentary positions, that it did not excite any suspicion of phthisis.

It is in evidence the chaplains entertained no suspicion, who, though non-medical, have, from their calling, opportunities of observing the progress of disease.

Constituted as your Board is, I do not consider it necessary to refer at length to the insidious and deceptive character of phthisis; how secretly and stealthily in some cases it undermines the vitals where not manifested by overt symptoms, and this was throughout its course the most exceptional case I ever met with after many years' experience.

In the Table which I have furnished to your Board, it appears that on the 4th October last I prescribed a cough mixture for Lynagh; this was soon after my appointment, and, though recorded, it left no impression on my memory; and when he was brought before me in January, I did not recollect I had before seen him, nor did he allude to it.

Appended to the verdict of the coroner's jury it was stated, "that the doctor of the prison might be more attentive to extern patients."

On this subject you have, in Lynagh's case, examined witnesses, the governor and chief warder, but I may be permitted to add that, in the convict prisons, I have treated several hundred cases of extern patients with the happiest results, and in no case has a death occurred, Lynagh's being the first since I entered on my duties in these prisons.

I have, &c.

(signed) *J. W. Young, M.D.,*

Medical Officer of Mountjoy Government Prison.

To the Commissioners
of Inquiry into this Case.

JAMES WILLIAM YOUNG, Medical Officer of Mountjoy Prison, having been duly sworn, states:—

ALL the statements contained in my Report of this day are true.

I cannot recollect why I gave Lynagh medicine on the 4th of October and December the 17th. I see so many cases that I have a difficulty in remembering particular ones.

I visited him in the cell on the 26th, 27th, 28th, 29th, 30th, and 31st of January, and on the 1st and 5th of February, as well as on the 6th of that month.

On each of these days his name was sent in on the sick report; but his name was not on the 2nd; I am not sure whether I visited him on the 3rd of the month; his name was not on the sick report on the 4th, but on the 5th he sent for me only to ask me for rice. From the state I found him in on the 30th and 1st, I found him a great deal better, and considered him convalescent; and on going to him at his own request on the 5th, he only spoke about diet, and did not complain of the diarrhoea. I expected every day he would go to his work, and he always told me when I visited him in the morning that he would get up.

On the 6th, I suspected he had phthisis or diabetes, and I desired the hospital warders to retain his urine to test it.

On that day the diarrhoea again came on a little, and I took him into hospital to treat him, as well as to find out what was the matter with him besides the diarrhoea.

My suspicion on that day of his having something else the matter was caused by his langour and thirst. I always visited him in his cell before 9 o'clock, and never suspected till the 6th of February that he had chest disease.

It is not the practice to repeat a visit to a man in a cell unless he is again put on the sick report. There was nothing in Lynagh's pulse to attract my attention.

I have, &c.

(signed) *J. W. Young, M.D.*

Sworn before us, this 2nd of February 1868,

Joliffe Tufnell.

John Lentaigue.

Henry Robinson.

MATTHEW LYNAGH.

COPY of REPORT of the COMMISSIONERS appointed by the Lord Lieutenant to inquire into all the Circumstances concerning the Death of a CONVICT named *Matthew Lynagh*, who died in Mountjoy Prison on the 12th February last.

(*Earl of Mayo.*)

Ordered, by The House of Commons, to be Printed.
18 March 1868.

MOUNTJOY CONVICT PRISON.

RETURN to Two Orders of the Honourable The House of Commons
dated 29 June and 28 July 1868;—*for*,

(ORDER, 29 June 1868.)

COPY “of CORRESPONDENCE between the Treasury, the Irish Government, and Dr. *Robert M'Donnell* relative to the Change in the Medical Management of the MOUNTJOY CONVICT PRISON, whereby Dr. *M'Donnell* was deprived of the Office of Medical Superintendent without compensation.”

(*Mr. Pim.*)

(ORDER, 28 July 1868.)

“COPY of a further LETTER from the Earl of *Mayo* to Dr. *M'Donnell*, dated the 1st day of July 1868, and of Dr. *M'Donnell's* Reply thereto, dated the 3rd day of July 1868.”

(*Earl of Mayo.*)

Ordered, by The House of Commons, to be Printed,
31 July 1868.

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COPY of CORRESPONDENCE between the Treasury, the Irish Government, and Dr. *Robert M'Donnell* relative to the Change in the Medical Management of the MOUNTJOY CONVICT PRISON, whereby Dr. *M'Donnell* was deprived of the Office of Medical Superintendent without Compensation; also, COPY of a further LETTER from the Earl of *Mayo* to Dr. *M'Donnell*, dated the 1st day of July 1868, and of Dr. *M'Donnell's* Reply thereto, dated the 3rd day of July 1868.

— No. 1. —

Mr. *Murray* to Sir *T. A. Larcom*.

Government Prisons Office, Dublin Castle,
28 May 1867.

Sir,

I REGRET to report the death of Dr. Banon, the medical officer of the Mountjoy Female Convict Prison.

The present appears to me an appropriate time to bring before the Government a project which my late colleague, Captain Whitly, and I had frequently discussed, namely, the pressing necessity for the appointment of a resident medical officer for the Mountjoy male and female prisons, and who should also compound the medicines. The salary of the medical officer of the Mountjoy Male Prison is 150 *l.* per annum; the salary of the medical officer of the Mountjoy Female Prison is 200 *l.* per annum; the salary of the apothecary for both is 150 *l.* per annum, with house, light, and fuel, valued at 70 *l.* per annum, making a total of 570 *l.* per annum.

I have long been of opinion that the duty of medical officer would be far more efficiently and satisfactorily performed by a resident, and I have no doubt that a qualified practitioner could be procured for a sum of 300 *l.* per annum, with, in addition, the house, light, and fuel now given to the resident apothecary.

Should it be considered necessary for me to enter into more elaborate details as to why a non-resident medical officer is most undesirable, I shall be prepared to do so, founding my reasons upon facts which are patent to all who are conversant with the management and routine of the prison above referred to.

I have, &c.

(signed) *Patrick Joseph Murray*.

The Under Secretary,
&c. &c.
Dublin Castle.

— No. 2. —

Lord *Naas* to Mr. *Murray*.

MEMORANDUM.

Mr. *MURRAY* will have the kindness to state more fully the reasons which lead him to entertain the opinion that a non-resident medical officer is most undesirable.

I should be glad to know who Dr. O'Neill is, and whether he is at present employed in the convict service; also, how the proposal would affect the position of the present medical officer of the Mountjoy Male Convict Prison.

Return File.

(signed) *Naas*.

30 May 1867.

— No. 3. —

(Immediate.)

Mr. *Murray* to Lord *Naas*.

My Lord,

Government Prisons Office, Dublin Castle,
1 June 1867.

In compliance with your Memorandum of the 30th ultimo annexed, I have the honour to report that my reasons for considering the appointment of a non-resident medical officer most undesirable are as follows:

When the Board of Directors of the Irish Convict Prisons was established in 1854, Dr. Rynd was continued in the post of medical officer of Mountjoy Male Prison, which he had previously held; and upon the opening of the Mountjoy Female Prison, about the year 1858, Dr. Banon, who, as medical attendant of the Grange Gorman Prison, had had charge of the female convicts who were detained in that establishment, was appointed medical officer of the Mountjoy Female Prison; thus it will be perceived that Drs. Rynd and Banon were continued in the service, rather than regularly appointed to it, after the formation of the Board.

Dr. Rynd, finding it impossible to do his duty effectively as medical officer without interfering with his private practice, resigned his appointment about the year 1857 or 1858, and was succeeded by the present medical officer, Dr. M'Donnell.

The medical practitioners who seek for appointment in the convict service are young men of ability, and to whom a fixed income with practice is of importance, and until their private practice or their duties as lecturers in medical schools are interfered with by their duty as prison officers, the latter duty is, more or less, carefully attended to; as soon, however, as practice or teaching is interfered with, the duty at the prison is, more or less, irregularly performed; the attendances are made at any hour that may be convenient, and the post of medical officer is held rather as a compliment to the Government, and claims are frequently made upon the heads of the department for increase of salary; in addition, the medical officers appear to consider that the hospital is neither more nor less than an additional school for their pupils, and when the impossibility of admitting strangers to the prison is pointed out, very great dissatisfaction is expressed. The appointment of a non-resident medical officer makes the appointment of a resident apothecary a matter of necessity, because if a member of the College of Physicians compounds the medicines which he prescribes, he breaks one of the most stringent conditions of his diploma, and hence both Drs. Banon and M'Donnell were always most careful that they should never be considered as called upon, or liable to be called upon, to compound.

Another reason which most forcibly urged my late colleague and myself to hold the appointment of a resident medical officer most necessary was the delay and uncertainty which must arise in securing, when suddenly required, the attendance of gentlemen who are engaged in private practice, or who live at a distance from the prison; for example, Dr. Banon lived in Fitzwilliam-square, and Dr. M'Donnell lives in Lower Pembroke-street, adjoining Fitzwilliam-square, which is fully two miles from the Mountjoy Prison.

The great inconvenience and unsuitability of a non-resident medical officer becomes most glaringly patent when it is recollected that the average daily number of female convicts under detention is 430, to which may be added 30 children, and the daily average number of male convicts is about 150; if we consider the untried political prisoners it would raise the average to 275; it must also be recollected that at the female prison there are frequently difficult and complicated midwifery cases, requiring constant care and watching. To show the irregularity of attendance produced by non-residence, I annex the Return marked A, and I would refer to a report recently made by me as to the non-inspection of the Fenian convict T. F. Bourke; had the medical officer been a resident that neglect of duty could not have taken place, nor could such visits as appear upon the Return A have been made. I may add also, that being non-resident, the medical officers never visit the prisons on Sundays or holidays unless required to do so by some special case; in fact, until about two years ago, even the resident apothecary did not visit the prisons on Sundays, and it has been reported to me

that

that prisoners, after reception, were very often brought day after day for inspection by the medical officer, but were not inspected, as he had no time to spare.

In recommending the appointment of a resident medical officer, I assume that he abandons all private practice, and devotes himself entirely to the duty of the prisons; and when it is recollected that sentences passed under the Penal Servitude Act of 1864 will, from the length of these sentences, increase the numbers under detention, and when it is borne in mind that the medical officer is required to attend the warders and matrons, with their families, I am more and more convinced that the duty of medical officer can be really and thoroughly performed only by a resident. It may not be out of place to draw attention to the fact, that all the English convict prisons have resident medical officers, some of whom, I believe, have been in the military or naval service.

These are the reasons which induce me to recommend the appointment of a resident medical officer, who shall, with the aid of the hospital assistant, compound the medicines.

It is no longer necessary to consider the temporary employment of Dr. O'Neill, as the duty of the female prison is temporarily performed by Dr. Quinlan, the medical officer of Smithfield and Lusk Prisons, and who lives in Cavendish-row, within a few minutes' walk of the female prison.

Dr. O'Neill is not in the convict service, and his name was mentioned merely because he had been approved on a former occasion, and had given satisfaction. His appointment to the temporary duty could in no way affect the medical officer of the Mountjoy Male Convict Prison.

I have, &c.

(signed) *Patrick Joseph Murray.*

Right Honourable Lord Naas,
Chief Secretary for Ireland, London.

— No. 4. —

(Immediate.)

Mr. Murray to Sir T. A. Larcom.

Government Prisons Office, Dublin Castle,
5 June 1867.

Sir,

REFERRING to the minute of the Chief Secretary of the 4th instant upon the accompanying file, I beg to report that I misunderstood the portion of his minute of the 30th ultimo, to which he refers. I would suggest that the post of resident medical officer for the two prisons should be offered to the present medical officer of the Mountjoy Male Convict Prison.

In the event of his refusing the office, and as my proposal may be considered as a reconstruction of a department, he would be entitled to such a retiring allowance as the Treasury may consider reasonable for his length of service, about 10 years.

The resident apothecary, the abolition of whose office is also proposed, would be entitled to a retiring allowance commensurate with his length of service, about five years.

I have, &c.

(signed) *Patrick Joseph Murray.*

The Under Secretary, Dublin Castle.

— No. 5. —

Sir T. A. Larcom to Dr. M'Donnell.

Sir,

Dublin Castle, 12 June 1867.

I AM directed to acquaint you that in consequence of the decease of the late Dr. Banon, the arrangements for the medical care of the inmates of the Mountjoy Convict Prisons have been under consideration, and it is deemed

advisable that one resident medical officer should be appointed for the two prisons.

I am further directed to transmit for your information a statement of the duties which it is proposed to entrust to the resident medical officer, and the salary to be paid to him, and to request that you will state, for the information of the Chief Secretary, whether you are willing to undertake those duties on the terms proposed.

Robert M'Donnell, Esq., M.D.,
&c. &c.

I am, &c.
(signed) *Thos. A. Larcom.*

For enclosure of above, see next page.

Enclosure in No. 5.

MEMORANDUM.

Government Prisons Office,

Dublin Castle, 11 June 1867.

THE conditions upon which it is proposed to appoint a resident medical officer to Mountjoy Male and Female Convict Prisons, are as follows:—

1. To discharge all the duties and compound the medicines, with the aid of a hospital assistant.
2. To attend the wives and children of the warders, and the matrons and their children, who do not reside more than half a mile from the prisons.
3. All private practice of any kind to be abandoned, and the entire time to be devoted to prison duty.
4. Salary 300 £. per annum, with the house at present occupied by the resident apothecary, the value of which, with fuel and light, is estimated at between 70 £. and 80 £. per annum.
5. The office of resident apothecary will be abolished.

The Under Secretary,
&c. &c. &c.
Dublin Castle.

— No. 6. —

Dr. M'Donnell to Sir T. A. Larcom.

14, Lower Pembroke Street,

Dublin, June 13 1867.

Sir,
IN reply to your letter of the 12th inst., inquiring whether I should be willing to undertake the duties of resident medical officer in the Mountjoy (male and female) prisons, I beg to state that the office would be one which I could not hold as a Fellow of the Royal College of Surgeons.

I therefore respectfully decline to undertake the duties of the office, and at the same time, beg leave to thank the Chief Secretary, for his kindness in making me the offer.

I have, &c.,
(signed) *Robert M'Donnell.*
Sir Th. Larcom, K.C.B.,
&c. &c. &c.

— No. 7. —

Lord Naas to the Secretary of the Treasury.

Sir,

Irish Office, 22 June 1867.

I AM directed by the Lords Justices to acquaint you, for the information of the Lords Commissioners of Her Majesty's Treasury, that the office of medical officer of the Mountjoy Female Convict Prison having become vacant by the death

death of Dr. Banon, the Director of Convict Prisons considers this to be a fitting opportunity for carrying out a reconstruction of the medical department of the Mountjoy Male and Female Prisons, and has submitted the following project, which has been frequently discussed by him and his late colleague, Captain Whitley, as one that would be not only most advantageous for the service, but absolutely necessary for the proper medical care of the prisoners confined in those prisons.

The Director recommends the abolition of the following offices :—

	£.
1. The medical superintendent of the Mountjoy Male Prison, salary - - - - -	150
2. The apothecary of same, salary - - - £. 150	
House, light, and fuel, valued at - - - 70	
	220
3. The medical attendant of Female Prison, salary - - - - -	200
TOTAL - - - - -	570

and in lieu thereof, recommends the appointment of one resident medical officer to take charge of both prisons, at a salary of 300 *l.* per annum, with the house at present occupied by the resident apothecary of the male prison, light and fuel, and upon the following conditions :—

1. To discharge all the duties, and to compound the medicines, with the aid of a hospital assistant.

2. To attend the wives and children of the warders, and the matrons and their children, who do not reside more than half a mile from the prisons.

3. All private practice of any kind to be abandoned, and the entire time of the officer to be devoted to prison duty.

I am to observe that the appointment of one resident medical officer to attend both prisons, as proposed, meets with the approval of the highest authorities on convict discipline, and is the practice which has been found to work most advantageously in the prisons of the United Kingdom; and their Excellencies, therefore, request that you will move their Lordships to sanction the arrangement, whereby a saving of 200 *l.* will be caused on the annual estimate.

I am to add that Dr. McDonnell, the present medical superintendent of the male prison has been asked whether he would be willing to undertake the duties of the proposed new office of resident medical officer, but he has declined to accept it on the ground that it is one that he could not hold as a Fellow of the Royal College of Surgeons.

I am to observe that should their Lordships be pleased to approve of the proposed arrangement, it will then become necessary to submit the claims of the present medical superintendent and resident apothecary for such compensation, allowance, or gratuity as the length of each of their services (10 years and five years respectively) may be considered by their Lordships to entitle them to.

I am, &c.
(signed) Naas.

The Secretary of the Treasury,
Whitehall.

— No. 8. —

(10,078—29/6.)

The Secretary of the Treasury to Lord Naas.

My Lord,

Treasury Chambers, 2 July 1867.

I HAVE laid before the Lords Commissioners of Her Majesty's Treasury your letter of the 22nd ultimo, announcing the death of Dr. Banon, Medical Officer of Mountjoy Female Convict Prison, and stating that the Director of Convict Prisons considers this a fitting opportunity for carrying out a reconstruction of the Medical Department of the Male and Female Prisons; and I am desired by

CORRESPONDENCE RELATING TO

their Lordships to state in reply, and for the information of his Excellency the Lord Lieutenant, that they are pleased to approve of the project recommended by the Director of Convict Prisons, as described in your letter, namely, that the following offices should be abolished:—

	£.
I. Medical superintendent of the Mountjoy Male Prison, salary - - - - -	150
II. Apothecary of same - - - - -	£. 150
House, light, and fuel - - - - -	70
	220
III. Medical attendant of Female Prison, salary - - -	200
TOTAL - - - - -	£. 570

And that, in lieu thereof, one resident medical officer should be appointed to take charge of both prisons, at a salary of 300 *l.* a year with the house at present occupied by the resident apothecary of the male prison, and light, and fuel, on the following conditions:—

1. To discharge all the duties, and to compound the medicines with the aid of a hospital assistant.
2. To attend the wives and children of the warders, and the matrons and their children, who do not reside more than half a mile from the prisons.
3. All private practice of any kind to be abandoned, and the entire time of the officer to be devoted to prison duty.

I am, &c.

(signed) *George Ward Hunt.*

The Chief Secretary for Ireland.

— No. 9. —

Mr. *Murray* to Sir *T. A. Larcom*.

Government Prisons Office,

Dublin Castle, 5 July 1867.

Sir,

WITH reference to his Excellency's approval of the abolition of the office of visiting medical officer to the Mountjoy Male Convict Prison, and the consequent retirement of Robert M'Donnell, Esq., M.D., the directors beg to forward herewith the enclosed statement of his services, and submit that Dr. M'Donnell be recommended to the Lords Commissioners of Her Majesty's Treasury for such retiring allowance as their Lordships may be pleased to grant him.

I have, &c.

(signed) *Patrick Joseph Murray,*
Director.

The Under Secretary,
&c. &c. &c.,
Dublin Castle.

— No. 10. —

Lord *Naas* to the Secretary of the Treasury.

Irish Office,

London, 6 July 1867.

Sir,

IN reference to your letter of the 2nd instant, No. 10,078 296, relative to the reconstruction of the Medical Department of the Mountjoy Male and Female Prisons, and abolition of the offices of visiting medical superintendent and resident apothecary of the male prison, I am directed by the Lords Justices to transmit to you, for the favourable consideration of the Lords Commissioners of Her Majesty's Treasury, statements of the services of Dr. Robert M'Donnell, and Mr. E. P. B. Ward

MOUNTJOY CONVICT PRISON.

9

E. P. B. Ward, who held those offices respectively, and which have been submitted by the Director of Convict Prisons, for such compensation as may be in their Lordships' power to grant to those gentlemen on the abolition of their offices.

G. W. Hunt, Esq., M.P.,
Secretary, Treasury.

I am, &c.
(signed) *Naas.*

— No. 11. —

Sir *T. A. Larcom* to Dr. *M'Donnell*.

Sir,

Dublin Castle, 9 July 1867.

IN reference to your letter of the 13th ultimo, I am directed by the Lords Justices to inform you that it is intended to commence the proposed arrangements regarding the medical attendance on the convicts in the male and female prisons at Mountjoy on the 1st August next, and I am to add that a communication has been made to the Lords Commissioners of Her Majesty's Treasury, requesting the most favourable consideration of your services which may be in their Lordships' power.

Robert M'Donnell, Esq., M.D.,
14, Lower Pembroke-street.

I am, &c.
(signed) *T. A. Larcom.*

— No. 12. —

The Secretary of the Treasury to the Earl of *Mayo*.

My Lord,

Treasury Chambers, 5 September 1867.

THE Lords Commissioners of Her Majesty's Treasury having had before them your Lordship's letter dated the 8th July last, submitting the case of Dr. Robert M'Donnell, Medical Superintendent, Mountjoy Prison, for superannuation, I am directed by their Lordships to request that they may be informed whether Dr. M'Donnell's whole time was given up to his public duties, and if not, during what period he was so employed.

To the Secretary for Ireland.

I am, &c.
(signed) *Geo. A. Hamilton.*

— No. 13. —

Mr. *Matheson* to the Secretary of the Treasury.

Sir,

Dublin Castle, 12 September 1867.

I AM directed by the Lord Lieutenant to transmit to you, for the information of the Lords Commissioners of Her Majesty's Treasury, copy of a letter from the Director of Convict Prisons respecting the time given by Dr. M'Donnell and Mr. Ward respectively, as visiting physician and resident apothecary to the Mountjoy Male Convict Prison, with reference to yours of the 5th instant, Nos. 11,054 and 11,055.

George A. Hamilton, Esq.,
Treasury Chambers.

I am, &c.
(signed) *R. N. Matheson.*

CORRESPONDENCE RELATING TO

EXTRACT from the Enclosure of the above.

Sir,

Government Prisons Office, Dublin Castle,
9 September 1867.

REFERRING to your minute of the 7th instant on the annexed file, I beg to report that Dr. M'Donnell was merely the visiting physician and surgeon of the Mountjoy Male Convict Prison, and that his entire time was neither given nor required in the discharge of his duties, but he visited daily, and remained so long as his presence was required.

The Under Secretary,
Dublin Castle.

I have, &c.
(signed) Patrick Joseph Murray.

— No. 14. —

Mr. M'Donnell to Sir T. A. Larcom.

Dear Sir,

14, Lower Pembroke-street,
20 February 1868

It is now more than six months since I received from you the letter of which the enclosed is a copy; as yet I have heard nothing from the Lords of the Treasury; I now take the liberty of writing to you to ask how I should act under the circumstances, in order to bring the matter again under the notice of their Lordships. I am anxious to do so, rather on Mr. Ward's account than my own; Mr. Ward was, you may remember, the resident officer, whose office was abolished at the same time as my own. He was, by the abolition of his office, cast upon the world, and, as I know, has been pinched by want during this delay.

I may add, that when I was in London some months ago, Lord Cairns was good to introduce me to Mr. G. A. Hamilton, to whom I was anxious to explain Ward's case in such a way as to lead to a favourable consideration of it.

Since then I have once written to Mr. Hamilton, but have received no reply. I must now, therefore, refer to you for instructions as to what steps I should take.

Hoping you will excuse the trouble I give you at this busy time,

Sir Thomas A. Larcom, K.C.B.,
&c. &c. &c.

I remain, &c.
(signed) Robert M'Donnell.

— 15. —

Sir T. A. Larcom to the Secretary of the Treasury.

Sir,

Dublin Castle, 22 February 1868.

REFERRING to the letter from this office of the 12th September last, and previous correspondence, I am directed by the Lord Lieutenant to request that you will move the Lords Commissioners of Her Majesty's Treasury to favour me with an early notification of their Lordships' decision on the cases of Dr. M'Donnell and Mr. Ward, late visiting physician and apothecary of the Mountjoy Male Convict Prison.

The Secretary, Treasury Chambers,
London.

I am, &c.
(signed) Thos. A. Larcom.

— No. 16. —

Dr. *M'Donnell* to the Earl of Mayo.

My Lord,

50, Jermyn Street, London, March 7.

On the 9th July last, I received a letter from Sir Thomas Larcom, announcing the change of system, which made it necessary to deprive me of the office which I held of medical superintendent of the Mountjoy Prison, and adding "that a communication had been made to the Lords Commissioners of Her Majesty's Treasury, requesting the most favourable consideration of my services, which was in their Lordships' power." From that time to this (a period of eight months), neither I nor Mr. Ward (the resident officer whose office was abolished at the same time as mine) have received any further communication on the subject. Being unwilling to give your Lordship any unnecessary trouble, and thinking that the delay might have been caused by some oversight, I wrote to Sir Thomas Larcom some time ago, but I have received no reply.

It is now important not more to my pecuniary interests than to my feelings and reputation, that the matter should be settled without much further delay. You stated in the House that the change (which in many respects I considered inexpedient) was made on the recommendation of Mr. Murray; I am sure my removal was in no respect disagreeable to him. My removal from office on his recommendation, without the compensation of two-thirds of my salary (the sum usually given to those who without any fault of their own are removed from offices which they are able to fill), cannot be looked upon in any other light than as a dismissal; I cannot rest under this imputation, and your Lordship will therefore not think me unreasonable in requesting that after so long a delay an answer may be given to my application for the usual compensation, in order that if the answer is unfavourable, I may take immediate steps to have the causes of disagreement between Mr. Murray and myself, and the reasons of the change, made the subject of Parliamentary investigation.

I must, indeed, thank you my Lord for the handsome terms in which you spoke of me in the House of Commons; you will see that I am placed in a very peculiar position, and, I may add, that I feel on Mr. Ward's account not less strongly than on my own.

I have, &c.

(signed) *Robert M'Donnell.*

The Right Honourable the Earl of Mayo.

&c. &c. &c.

— No. 17. —

The Secretary of the Treasury to Sir *T. A. Larcom.*

(Extract.)

Sir,

Treasury Chambers, 10 March 1868.

With reference to your letter of the 22nd ultimo, and to previous correspondence respecting the cases of Dr. M'Donnell, visiting physician, and Mr. Ward, resident apothecary at Mountjoy Prison, submitted for superannuation, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of His Excellency the Lord Lieutenant of Ireland, * * * with respect to the case of Dr. M'Donnell, that as it appears from Mr. Matheson's letter of the 12th September last, that he did not and was not required to devote his whole time to the service of the public, my Lords would not feel themselves justified, under the regulations of the Superannuation Act, in awarding to him any retired allowance.

I am, &c.

(signed) *George A. Hamilton.*

Sir T. Larcom, K.C.B.,

&c. &c. &c.

— No. 18. —

Sir *T. A. Larcom* to Dr. *M^cDonnell*.

Sir,

Dublin Castle, 13 March 1868.

REFERRING to former correspondence, I am directed by the Lord Lieutenant to acquaint you that a communication has been received from the Lords Commissioners of Her Majesty's Treasury, stating that as it appears you did not and were not required to devote your whole time to the service of the public, their Lordships would not feel themselves justified, under the regulations of the Superannuation Act, in awarding to you any retired allowance, as late visiting physician to Mountjoy Prison.

Robert M^cDonnell, Esq., M. D.I am, &c.
(signed) *Thomas Larcom*.

— No. 19. —

Dr. *M^cDonnell* to the Earl of *Mayo*.

14, Lower Pembroke Street, Dublin,

14 March 1868.

My Lord,

I BEG leave to enclose a copy of a letter I have this day received from Sir Thomas Larcom.

It appears therefore, that my removal from office has been really a dismissal; I cannot, my Lord, rest under this imputation; I cannot stand before my profession and the public as one dismissed.

In common justice, your Lordship cannot refuse me a searching inquiry into the causes which have led to this.

I am, &c.
(signed) *Robert M^cDonnell*.

To the Right Honourable the Earl of Mayo,
&c. &c. &c.

Memorandum.—A copy of No. 18 was enclosed with the above.

— No. 20. —

The Earl of *Mayo* to Dr. *M^cDonnell*.

Sir,

Irish Office, 25 March 1868.

I AM directed by the Lord Lieutenant to acknowledge the receipt of your letter of the 14th instant, and I am to state, that on the death of Dr. Banon, which caused a vacancy in the office of Medical Officer of the Mountjoy Female Prison, Mr. Murray represented the necessity of obtaining the services of a resident medical officer for the two Mountjoy Prisons. This representation was based principally on the impossibility, proved by the whole experience of the Directors of Convict Prisons, of obtaining from non-resident physicians in good practice the regular attendance requisite for securing due attention to the health of the prisoners and the prison officers, and it was accompanied by a proposition that the appointment of resident medical officer should be in the first instance offered to you.

Before approving the change, I consulted Colonel Henderson and Captain Whitty, who both concurred in Mr. Murray's view of the matter.

A letter was written to you by Sir Thomas Larcom on the 12th June 1867, transmitting for your information a statement of the duties which it was proposed to entrust to the resident medical officer, and the salary to be paid to him, and requesting that you would state whether you were willing to undertake those duties.

On

On the 13th June, you replied that the office would be one which you could not hold as a Fellow of the Royal College of Surgeons, and you therefore declined to undertake its duties, and thanked me for making you the offer.

The project was submitted to the Treasury, together with a statement of the length of your service and of Mr. Ward's, the resident apothecary, with a view to your receiving compensation.

The Treasury approved the change, but stated that as you did not, and were not required to devote your whole time to the service of the public, their Lordships would not feel themselves justified, under the regulations of the Superannuation Act, in awarding to you any retired allowance.

This decision was communicated to you, and as it was expressly grounded, not on anything relating to you personally, but on the fact of the office you had held not being one which required the devotion of your entire time to the public service—a fact with respect to which no question can be raised—I cannot admit that it can be regarded as a dismissal, nor do I see that any investigation could be instituted in regard to it.

Robert M'Donnell, Esq., M.D.,
&c. &c.

I am, &c.
(signed) Mayo.

— No. 21. —

Dr. M'Donnell to the Earl of Mayo.

My Lord,

14, Lower Pembroke-street, Dublin,
31 March 1868.

REFERRING to your letter of the 25th, I am happy to find that you do not look upon me as one dismissed; the public and my profession, however, take a different view of the matter. They have learned from your own statement, that, in consequence of some differences between Mr. Murray and myself, I have been deprived of the office which I lately held, and that I have been set aside without any compensation; it is not unnaturally asked how does this differ from dismissal?

The matter has now become a public one, and, so far, is entirely out of my control, yet I hope that your Lordship may be induced, as a measure of justice towards myself, to reconsider the question of the propriety of instituting an inquiry into the differences between Mr. Murray and myself, which led to the abolition of my office.

I cannot doubt, my Lord, that in making this change as regards the medical management at Mountjoy, you were yourself actuated solely by a desire to do what you considered best for the public service; I am, however, equally convinced that the individual who recommended the change was actuated by feelings hostile to me.

You will then pardon me, if, in the hope of inducing you to reconsider the question, I enter somewhat at large into some of the topics touched upon in your letter.

First, you say, "That Mr. Murray represented the necessity of obtaining the services of a resident medical officer for the two Mountjoy Prisons. This representation was based principally on the impossibility proved by the experience of the Directors of Convict Prisons of obtaining from non-resident physicians in good practice the regular attendance necessary for securing due attention to the health of the prisoners and prison officers."

Let me remind your Lordship, in reply to this, that Mr. Ward (the resident officer whose office was done away with at the same time as my own) was resident officer to the two prisons; that he was a registered practitioner under "The Medical Act," an apothecary and accoucheur; I may add, that he had gone through the course of education necessary to obtain, and was, in fact, prepared to obtain any surgical or medical diploma which might have been deemed necessary.

Allow me also, with reference to the above, respectfully to ask your Lordship whether any facts ever came before you to prove that my practice interfered with my regular attendance and the efficient discharge of my duty towards the prisoners and prison officers.

This expression in your letter implies that my practice prevented me from paying due attention to those confided to my charge. That this was not the case is best proved by the regularity of my visits and their frequency whenever urgent cases required to be visited several times in the day. The fact that during ten years no charge of any kind of neglect was made out against me, the low rate of mortality, the freedom from scurvy and such complaints likely to arise from carelessness in prisons, perhaps, above all, by the fact to which I point with some pride and satisfaction, that, although many of those who died in hospital sunk from diseases slow in their progress, and accompanied by extreme emaciation, no single case (save one where no human skill could have averted it) died having a bed-sore on his body, you were yourself pleased to express your satisfaction at the prompt and successful measures which I adopted in order to check the outbreak of cholera in December 1866.

I am not ashamed to own, that when I visited Mountjoy for the last time, there were men who shed tears after me. I would ask you, my Lord, if this is a tribute likely to be paid to one whose practice had prevented him from paying due attention to those confided to him? No, my Lord; when I had differences with my superiors, it was not because of any want of attention to the sick, it was because, in the honest discharge of my duty, I leaned perhaps too much towards the side of humanity.

As your Lordship is probably aware from my published reports (in the 12th and 13th Annual Reports of the Directors of Irish Convict Prisons), I found it necessary to adopt a higher scale of diet than had been necessary before that time; I had to do this, principally, in order to make up for the greatly increased punishments. In point of fact, it became necessary for the medical officer to feed up the whole of the prisoners to compensate for the reduction in diet resulting from incessant punishment. In 1862, (the last year of Sir Walter Crofton's régime), the punishments in Mountjoy male prison amounted to some 20 per cent. on the entire prisoners. In 1865, the punishments in that prison amounted to near 70 per cent.

I resisted also the introduction of a punishment of extreme severity, by depriving prisoners, in the dead of winter, of bed and bedding (except their rug); had I not had the courage and humanity to insist on this punishment being done away with, and had an inquest occurred on the body of any prisoner dying from acute disease engendered by this treatment, I should have been most deservedly censured; I should, in fact, have been ruined. While Mr. Murray, who had directed the execution of this punishment, and who justified it by informing me, that it was in use in Spike Island Prison, would have escaped from the blame, which in truth he merited. It was indeed so irksome to me to be obliged to witness this sort of suffering, that I contemplated resigning my office, and would have done so, had I not conscientiously believed that I was of use, not only in protecting the prisoners, but the warders also, from hardship and unfair treatment.

I would allude, while speaking of such cases, to the instance of convict Murphy, mentioned in my report (13th Annual Report of Directors of Convict Prisons), who was ordered by Mr. Murray "bread and water, penal cell, and weekly report," because he did not wish to conform either to the Episcopalian, Presbyterian, or Roman Catholic religions.

No one is better aware, my Lord, than yourself of the severe discipline to which the untried political prisoners were for a long time submitted, more severe as regarded strict cellular discipline than convicts underwent. I was, I believe, the only Government official who raised up his voice against this. Let me remind your Lordship of what took place, although at an earlier time, I had spoken on the subject, and had written in hope of getting the privilege of smoking tobacco allowed to these prisoners, yet I did not make any official report until the beginning of January 1867. This I did in a few unobtrusive words in my annual report (13th Annual Report of Directors of Irish Convict Prisons); shortly after (15th January 1867), I made a fuller report on the same subject; I received no reply; in fact, no notice was taken of my report. Weeks elapsed, and again at the end of February, on the renewal of the Habeas Corpus Suspension Act, I reported once more, and subsequently wrote a strong letter to the Governor of Mountjoy Prison, specifying the cases in which mental disease had been developed, and urging this humane and excellent officer to aid me in drawing the attention of Captain Barlow and Mr. Murray to this subject. Now, my Lord,

Lord, in your speech, as reported in the "Times" of May 4th, 1867, you stated that many weeks elapsed between the time of my first reports being made, and the time they were brought under your notice.

Have I not some right to inquire how it was that my reports upon this important subject were not laid before you? Can you suppose that it was a friendly spirit that dictated the holding back of these reports?

But it is unnecessary for me to go into any further detail on this subject; you know, every reasonable man knows, that I entertain no sympathy for the criminality of the convict any more than for the fenianism of the political prisoners. I merely did my duty, and the result was, that Mr. Murray advised that I should be got rid of.

Secondly. You say, that "before approving the change, you consulted Colonel Henderson and Captain Whitty, who both concurred in Mr. Murray's view of the matter;" not unnaturally, these being official gentlemen, took an official view of the question; they preferred to have an officer less likely than one in my position to give free expression to his thoughts. Let me repeat, my Lord, my conviction, that you acted for the best, in accordance with the advice you sought, but let me also assure you that this is not the view the public take of this question. There has been a strong expression of opinion in the public press on this subject, arising out of the inquest lately held at Mountjoy; let me add, my Lord, that, besides the press, there is another class to which I should not fear to appeal, namely, the chaplains and schoolmasters, warders, and even the prisoners themselves.

Indeed when a prison is situated in the immediate vicinity of a large town, when the best advice can be obtained at a moderate cost from a person of good position, and in whom the public have confidence as being one of themselves, the arguments in favour of a visiting officer appear unanswerable, and that they are virtually felt to be so, is proved by the fact of which your Lordship is probably aware, that since I have been deprived of my office, Mr. Tufnell has practically become visiting medical officer at Mountjoy.

The case of the English prisons, to which Colonel Henderson may possibly have referred, cannot be looked upon as a fair parallel; as you are no doubt aware that the plan recommended to you and now adopted at Mountjoy, does not at all correspond with the arrangement existing in the English convict prisons; for at Millbank, Dartmoor, Portland, Portsmouth, Chatham, Woking, there are two medical officers and a compounder, attached to each prison, although in most of these institutions there are a smaller number of inmates than in the two prisons at Mountjoy.

Professor Christisan is visiting medical officer to the General Prison for Scotland at Perth, and Mr. Tufnell to the prison at Arbour Hill, Dublin; your Lordship has therefore been in error in supposing that there is no precedent for visiting medical officerships of prisons; moreover, if I am not mistaken, the change at Millbank which caused Dr. Guy, F.R.S., to be deprived of his office as visiting physician, was as little approved by the public as the change at Mountjoy, although perhaps, satisfactory to Colonel Henderson.

Thirdly. You were good enough to offer to me the post of medical officer, a post for which I was ineligible. I could not undertake to compound drugs, one of the duties required.

But here we have, my Lord, the strongest argument which can be urged on public grounds against the system of a resident officer (at least when the neighbourhood of a large city makes it easy to have a visiting officer also). The conditions and duties of the office of necessity prevent those persons who have the highest qualifications from filling the office. As a fellow of the College of Surgeons, I could not compound or dispense medicines; why in a great establishment like Mountjoy should the prisoners and officers be cut off from the best class of medical and surgical graduates?

But, my Lord, when it appeared that I could not accept the post, I am not aware that it was offered to Mr. Ward, who as a registered practitioner was legally qualified to hold it, and who could even, if it had been necessary, have readily obtained another diploma.

Fourthly. As regards the conduct of the Treasury in declining to give me compensation for the loss of office, on the ground that my whole time was not devoted to the public service, it would appear, my Lord, that in July last, neither you nor Sir Thomas Larcom were aware that such a regulation existed, had you

been so, I cannot doubt that you would have paused before taking a step so hurtful to me, so ruinous to poor Mr. Ward, or that you would at least have intimated your intention to me before the change was actually determined upon, in order that I might have suggested any arrangement by which Mr. Ward would have been less seriously injured than he has been.

I am advised by a first rate legal authority that there is nothing in the Superannuation Act which justifies the Lords of the Treasury in making an arbitrary distinction between those who give their whole time to the public and those who do not. It is a rule which bears extremely hard on members of my profession. The medical profession feels that an unfair distinction is made between them and the members of the Bar. The chairmen of counties do not give their whole time to the public, they are permitted to practice their profession, yet on retirement receive a liberal superannuation.

No doubt a special Act applies to this case, but my brethren naturally urge, if the House of Commons in this Act has sanctioned a certain principle as being fair and just, why should the Lords of the Treasury in dealing with cases like mine, frame a regulation at variance with this principle? Again, my Lord, you will, I think, admit that civil servants in such a position as that which I lately filled, can have no protection against the heads of their departments (if differences arise) unless the Treasury makes some distinction between a person who is dismissed for misconduct and one whose office is abolished for the public good. An officer like myself is found by the head of his department to be inconveniently honest and outspoken; the abolition of his office is recommended, ostensibly for the public good, and although he may have been an admirable public servant, he is set aside without compensation. The distinction between this and dismissal is, I think you will admit, very refined. I cannot myself see any just or logical reason for the distinction made by the Treasury regulation. It is certain that it is not in accordance with the view usually taken by the House of Commons where offices are abolished by Act of Parliament. I would ask you, my Lord, whether you yourself think it reasonable or just?

With reference, however, to this portion of the case, I feel far more strongly with respect to Mr. Ward than to myself. I have been unintentionally the means of bringing him down in my fall. This gentleman formerly held a moderately good appointment (not in the public service); this he gave up to enter the convict service, in which he had a house, salary, and allowances equivalent to some 225 *l.* annually; he was sent forth on the world, with a wife and family and 37 *l.* 10 *s.* a year as compensation. I cannot shut my eyes to the fact that I have been the innocent cause of this.

I have, however, my Lord, occupied too much of your valuable time. Let me, in conclusion, hope that you will reconsider the propriety of instituting a full inquiry into my case. Assuredly, since Lord Carlisle left Ireland, no nobleman has taken so much interest as yourself in the Irish convict system, of which we were once so proud; no one can do so much to maintain its efficiency. Do not look upon my case as one merely personal; accept it as evidence, which it unquestionably is, that this system which has silently and unostentatiously worked so much good for Ireland is showing signs of decay.

For my own part, let me assure you that I shall bear my dismissal (for I can call it nothing else) with perfect equanimity if any investigation arising out of it should prove the means of preserving a system which, apart from political strife and sectarian animosity, has done so much good for this country.

I have, &c.

(signed) *Robert M'Donnell.*

To the Right Hon. the Earl of Mayo,
&c. &c.

— No. 22. —

The Earl of Mayo to Dr. M'Donnell.

Sir,

I beg to acknowledge the receipt of your letter of the 31st ultimo, and to state that I have referred it to the Directors of Convict Prisons for any observations they

Irish Office, 1 April 1868.

they may see fit to make thereon, which observations will be forwarded, together with my reply, in due time.

Robert M'Donnell, Esq., M.D.,
&c. &c.

I am, &c.
(signed) Mayo.

— No. 23. —

Dr. M'Donnell to the Earl of Mayo.

14 Lower Pembroke-street, Dublin,
2 April 1868.

My Lord,

I AM much obliged for your prompt acknowledgment of the receipt of my letter of the 31st ultimo.

I should be sorry to raise any objection to the course you have thought it right to follow in referring it to the Directors of Irish Convict Prisons for their observations thereon.

I hope, however, that you will direct that, if necessary, I may have access to the books in which my letters, reports, &c., were copied while I was connected with the convict service, and also that you will prevent any unreasonable delay on the part of the Directors, such as has already occurred on the part of the Treasury.

I am naturally anxious to avoid much delay, as I may possibly find it necessary, in order to vindicate my honour as a professional gentleman, to have the matter ultimately brought under the notice of the House of Commons.

I have, &c.
(signed) Robert M'Donnell.

To the Right Honourable the Earl of Mayo,
&c. &c. &c.

— No. 24. —

The Earl of Mayo to Dr. M'Donnell.

Sir,

Irish Office, 9 May 1868.

I BEG to transmit for your information the accompanying copy of a Memorandum which I have received from Captain Barlow, Director of Convict Prisons, relative to the matters referred to in your letter to me of the 31st March last.

Robert M'Donnell, Esq., M.D.,
&c. &c. &c.

I am, &c.
(signed) Mayo.

Enclosure in No. 24.

MEMORANDUM.

Government Prisons Office, Dublin Castle,
11 April 1868.

WITH reference to your Memorandum of 1st instant, I have the honour (in the absence on leave of Mr. Murray) to offer the following observations on the letter of Dr. M'Donnell, late medical officer of Mountjoy Prison, dated 31st ultimo.

I beg to state that the circumstances under which Dr. McDonnell left the convict service were never considered by the directors in the light of a dismissal; I distinctly assert, that months before Dr. M'Donnell discontinued his attendance at the Mountjoy Male Prison, I informed him, that had he resigned his appointment during the lifetime of the late Dr.

Banon, medical officer of Mountjoy Female Prison, the services of Dr. Banon would have been discontinued, and a resident medical officer appointed, if the Government could have been induced to sanction such an arrangement.

With respect to Dr. M'Donnell's assertion, that the arrangement which led to his services being dispensed with, was proposed by an individual hostile to him, I honestly believe that I myself first suggested the appointment of a resident medical officer; I am happy to find that the opinion formed by me is borne out by the approval of such recognized authorities in prison matters as Colonel Henderson and Captain Whitty.

I will now reply, as briefly as the importance of the subject admits, to the various points raised by Dr. M'Donnell. First, the directors did find that the practice of visits at irregular and uncertain hours—hurried visits, as I believe will be admitted by the governor and superintendent of the Mountjoy Prisons, to be inconvenient and to interfere much with the proper working of the prisons; there have been cases where prisoners marked for the treatment of medical officer by the resident apothecary, did not see the medical officer until three or four days had elapsed; and that when they questioned the apothecary on the subject, were told by Mr. Ward that the medical officer had not time to see them on the previous day; newly received convicts were not, as is required by the rules, inspected promptly by the medical officer; untried prisoners were not in many instances inspected by him at all, and the governor and superintendent of the Mountjoy Prisons experienced much difficulty, at times, in obtaining from the medical officers the necessary medical reports, certificates, &c.

The duration of Dr. M'Donnell's visits to the prison averaged, for three years, 44 minutes daily, Sundays excepted: and it is remarkable that during the years 1866 and 1867, when untried prisoners were located in the prison, and upon his great attention and care to this class of prisoners he so much relies in his arguments, his visits averaged but 42 minutes daily in 1866, and 39 minutes in 1867 daily, less time being given, with largely increased numbers, during 1866 and 1867. Dr. M'Donnell, in common with all other prison officers, received an allowance equivalent to the fourth of his salary for increased duties.

With reference to Mr. Ward, I do not consider an apothecary to be fitted to fill the very responsible office of resident medical officer at the Mountjoy Prisons; he could, I believe, in some months have qualified as to diploma, but I have no hesitation in stating that no one but a medical man of considerable experience and lengthened practice could satisfactorily fill the post; these qualifications, I believe, it will be admitted Mr. Ward did not possess.

Whether the irregular, and I must say hurried, visits of Dr. M'Donnell arose from his extensive private practice, or from other causes, I cannot say, but the facts are as I have stated; Dr. M'Donnell never visited on a Sunday, excepting in very serious cases, and the occasions on which he visited more than once daily were extremely rare.

With respect to the mortality being exceptionally low, I am not a competent judge, but considering the dietary in use at Mountjoy Prison, and bearing in mind the fact that all prisoners considered unfit for cellular discipline by the medical officer are removed to other prisons (an arrangement extensively made use of by Dr. M'Donnell), he does not appear to be entitled to take credit to himself for the fact of scurvy not appearing. I may here state that the fact of a qualified medical man being always upon the spot to appeal to, as to the quality of provisions supplied, cannot be overrated. With respect to bed sores, &c., Dr. M'Donnell appears to take credit to himself for having satisfactorily performed his duties; surely he cannot obtain any special credit for having done so. I must here state that so anxious was Dr. M'Donnell to remove prisoners from Mountjoy on medical grounds, that in 1857 the coroner of the King's County made some strong comments on the removal of Convict M'Cassey to Philipstown Prison, when in the last stage of decline. (See Correspondence in this case forwarded with my Memorandum of the 25th ultimo.)

With reference to Dr. M'Donnell leaning too much to the side of humanity, I must say, so far as my experience has gone, leniency has ever been the rule in dealing with the convicts at the Male Prison. I give the percentages of punishments during the last seven years:—

1861	-	-	-	-	-	-	18 per cent.
1862	-	-	-	-	-	-	19 "
1863	-	-	-	-	-	-	20 "
1864	-	-	-	-	-	-	23 "
1865	-	-	-	-	-	-	25 "
1866	-	-	-	-	-	-	28 "
1867	-	-	-	-	-	-	26 "

These per-centages apply only to the class of prisoners in probation, and should they appear high in some years, I beg to state that an individual prisoner who systematically misconducts himself may seriously affect the punishment return; for instance, in 1865 three convicts were reported respectively on 25, 21, and 22 occasions, others almost as frequently; in no case in 1866 or 1865 did a prisoner receive bread and water diet for a prison offence for longer than 14 days (a director's power extends to 28 days' bread and water diet). In 1865, out of 308 punishments ordered, 52 were 7 days and over on bread and water diet. In 1866, out of 135 punishments ordered, 20 were for 7 days and over; that an increase in the number of punishments ordered to the extent of 7 or 9 per cent., and this increase mainly caused by frequent misconduct on the part of a few individuals, should render an alteration of dietary necessary, is difficult to conceive. Dr. M'Donnell omits to state that

in 1862 Mountjoy became to a certain extent an associated prison, Philipstown Prison being broken up, and the tradesmen working in association transferred to Mountjoy; this class then, as now, consisted chiefly of returned convicts, and were most troublesome, rendering frequent punishments necessary; this class is on a different dietary from the prisoners in probation, and although the per-centage of punishment was higher in it, for a time, than those I have given, Dr. M'Donnell never in any way interfered with the dietary of that class. Dr. M'Donnell suggested the lash as a punishment, but this has been always the last resource in the Irish convict service; and however the public may be misled by Dr. M'Donnell's statement in other respects, I believe they will agree with the directors in reprobating its constant use, as he suggests.

The punishment of deprivation of bedding is erroneously described by Dr. M'Donnell as one of extreme severity; the deprivation was contemplated for three nights only in each case, the prisoner being in a cell kept to a high temperature, clad in a warm frieze suit, and furnished with a rug (the punishment cells in all cases are boarded, and differ in no respect from the ordinary cells of convicts); in fact, convicts wilfully committing prison offences were only subjected, for three nights, to the same treatment to which military prisoners in military prisons are subjected (however good their prison conduct may be) three nights in each week during the first period of their sentences. Dr. M'Donnell states "it was so irksome to him to witness this sort of suffering that he contemplated resigning his office." The punishment of deprivation of bedding was resorted to at Mountjoy Prison in two instances only, and was at once discontinued on Dr. M'Donnell's suggestion; in adopting a mild form of the punishment of deprivation of bedding, in use in the military prisons, and there sanctioned by the late Sir J. Jebb, admittedly one of the first authorities of the day on convict treatment, the directors cannot feel they have laid themselves open to the charge of cruelty made by Dr. M'Donnell; and I still maintain that a less objectionable, whilst effective punishment, it would be difficult to obtain. Dr. M'Donnell never hinted at his disposition to retire on the ground he states; and that his power, or that of any other medical man, has ever been necessary to protect convicts from undue severity on the part of the directors, is utterly unfounded. Dr. M'Donnell argues that a visiting medical officer alone can interfere to prevent undue severities towards prisoners; I may fairly ask when he saw, as he states, the entire body of prisoners broken down by punishment, and witnessed severities which caused him to contemplate the resignation of his situation rather than be forced to witness such suffering? why did he not then bring to your notice, or that of your predecessor, the Right Hon. Mr. Fortescue, the state of matters in the male prison, Mountjoy, in place of waiting until, with reference to a matter personal to himself, he refers to it as an argument for continuing a certain system of medical attendance which in his own case, and by his own admission, has proved to be ineffectual. So far as bringing severities, as he states, amounting to cruelty, to the notice of the Chief Secretary or the public, I state distinctly that Mountjoy Male Prison is worked with as few, probably fewer punishments than any other prison where discipline is maintained.

It is but just to Dr. Young to state that I have found him fully as watchful as Dr. M'Donnell with respect to prisoners under punishment, and as prompt to remove any prisoner from punishment he may think fit. The directors can but order the punishments they consider just and necessary; it is for the medical officer to decide on their fitness in each case, and in no one instance has an order of a medical officer as to discontinuing a punishment been disregarded for one hour.

With respect to unfair treatment of warders, I can only say that if preventing constant absences on the part of warders on the ground of illness, by enforcing the treatment of warders in that portion of the prison hospital set apart for them, was unfair, we are guilty of unfair treatment; but by so doing, the absences of warders on account of sickness has been diminished at least one-half; and whilst the public time has not been wasted, the health of the prison warders has not suffered. The only instances in which Dr. M'Donnell interfered with respect to warders' treatment was respecting their being treated in hospital or at their own homes.

With respect to a convict being punished for refusing to attend Divine service, the directors simply enforced rule 13 of printed rules for prisoners (rule attached); to a convict subjected to cellular discipline to attend Divine service with his fellow prisoners would, I believe, be a boon; in no case was a convict compelled to conform to the sacraments of either Established, Roman Catholic, or Presbyterian Churches, but if convicts were allowed to refuse to attend at their will the services of some one of the chaplains, I believe the most anxious efforts of the chaplains would be, in many cases, without result.

With respect to severe treatment of untried political prisoners, I need not remind your Lordship that you found the system in force which had been approved of by the Earl of Kimberly; at all times the treatment of these prisoners as to dietary, exercise, &c., has been admitted, even by the prisoners themselves, to be far better than in any gaol in Ireland. Dr. M'Donnell has here introduced my name; he is aware that at the time I was not a director of convict prisons; from whatever cause the reports to which he alludes were withheld for a time, I can only state that it was from no feeling towards him, hostile or otherwise. Your Lordship censured the withholding of the reports at the time, but with this matter I had nothing to do.

I must remark, however, that I regret I cannot concur in the latter part of the testimonial Dr. M'Donnell has thought proper here to give the Governor of Mountjoy Prison.

With respect to Dr. M'Donnell's repeated assertion, that Mr. Murray advised "he should

be got rid of," I can but again state that I consider myself mainly responsible for the change of the medical system, and remark that I consider the change to be greatly to the benefit of the prisoners and the Mountjoy establishment generally.

With respect to Dr. M'Donnell's remarks as to the opinion of Colonel Henderson and Captain Whitty, I can only remark, that if long, honourable, and trusted services in public departments, lay the opinions given by these gentlemen open to distrust, it is indeed difficult to know where to look for counsel as to prison arrangements.

I cannot believe, without the slightest disrespect to the chaplains of the establishment, that your Lordship wishes the directors to be directed by them, far less by the opinion of the "schoolmasters, warders, and even by the prisoners themselves."

The question as to a resident medical officer has been already decided by your Lordship, but the statement of Dr. M'Donnell as to Dr. Tufnell being "practically visiting medical officer" is wholly unfounded. Dr. Tufnell's visits were as follows:—On the 4th January 1868, he saw untried prisoner W. H. O'Sullivan, by order of the Government, and at the same time by Mr. Murray's order, untried prisoner J. Dowling, to report whether further imprisonment would be injurious. Subsequent to an inquest in Mountjoy Male Prison, Dr. Young desired a consultation as to some cases of long standing; he requested to be allowed to call in Dr. Tufnell, a gentleman of standing in his profession, a friend of his own, and whom he had been accustomed, in his private practice, before appointment to the convict service, to meet in consultation. Dr. Tufnell visited on 21st February, and received the fee of two guineas for his services in this instance; since then, as a friend of Dr. Young's, he has made one more visit with Dr. Beatty to the Female Prison, to make an examination of a convict whose case exhibited some unusual features; this latter visit was that of a friend seeing his brother professional's cases. I have not the pleasure of Dr. Tufnell's acquaintance, neither has Mr. Murray. I do not believe that Dr. Tufnell is considered practically visiting medical officer of Mountjoy by any save Dr. M'Donnell; or that Dr. Tufnell considers himself in such a position. Here I may say that Dr. Young has my instructions, when medical aid is required, to call in any of the leading medical gentlemen who may appear to be most suited to advise in the particular cases as they may arise; when time permits of reference to the directors, on this point, they will pursue the same course they have pointed out to Dr. Young; and in no case constitute, even by frequent reference, any particular medical man a visiting medical officer.

It is difficult to consider the fact that having once called in Dr. Tufnell constitutes that gentleman visiting medical officer; I need not remind your Lordship that the directors have no power to make any such appointment, and have never referred the matter to your Lordship in any way. I am not aware of the circumstances under which Dr. Guy left the English service; but Dr. M'Donnell seems to attribute his removal to Colonel Henderson's influence, as he did his own to that of Mr. Murray.

With reference to compounding medicines, &c., I believe a resident medical officer to have sufficient time for so doing; continuing inconvenience and expense on a point of professional etiquette can, I think, be hardly expected or desired by the public; I cannot understand that the presence of a resident medical officer, possessing Dr. Young's qualifications and testimonials, who can virtually at his will obtain the first medical opinions in Dublin, should not completely meet any possible requirements at the Mountjoy prisons.

With respect to the decision of the Treasury, I have no remark to make, saving that, in common with Dr. M'Donnell, I fell into the error of believing that his case was one for compensation or pension; in any case the directors had no voice whatever in the matter.

Mr. Ward's pension is, I believe, a liberal one, considering his service. We also pay him 23 l. per annum as apothecary at Smithfield Prison, and so far from Mr. Murray being hostile to Mr. Ward, I know that, unsolicited, he obtained the Smithfield appointment for Mr. Ward.

With respect to the working of the Irish convict system, I assert that the treatment of convicts at Mountjoy fits them as fully, if not more fully than ever, for receiving the advantages to be gained by them in the subsequent stages; the real enemies of the system are those who, as Dr. M'Donnell I regret to say has done, assail those honestly and conscientiously endeavouring, at a time of peculiar difficulty, to work the system in its integrity; more so when such attacks are made from personal motives, as those of Dr. M'Donnell appear to be.

I trust, having, as I believe, refuted such statements of Dr. M'Donnell by facts, in all cases where facts or figures can be brought to bear, you will consider any remarks I may have made on the conclusions he has arrived at, as to the motives which actuated Mr. Murray and myself, to bear with them some weight.

(signed) *J. Barlow.*

The Right Hon. the Chief Secretary for Ireland.

RULE 13 of printed Rules referred to in foregoing Report.

13. ON Sundays, and other days recognised in Rule 11, the cleaning shall be confined to what is strictly necessary for the order of the prison. The prisoners shall attend Divine service, and take such exercise in the open air as may be ordered by the governor or medical officer, and read and receive instructions under the superintendence of their chaplains. On week-days, the prisoners shall attend daily prayers, and receive such school instruction as may from time to time be directed.

Observance of Sunday, &c.

RULES by which the Medical Officer formerly was guided.

The Medical Officer.

1. He shall attend all sick prisoners, and all officers and servants of the prison and their families, under such instructions as may be given from time to time by the director. He shall have the general care of the health of the prisoners; and shall report to the director, and make known to the inspector and governor, any circumstance connected with the prison, or the treatment of the prisoners, which shall at any time appear to him to require consideration on medical grounds.

General duties.

2. He shall make arrangements with the governor for carefully inspecting all prisoners on admission, and shall examine into their state of health, and shall enter an account of the same in the "Medical Officers' Examination Book." He shall also insert therein such information respecting their health previous to admission, and their liability to be affected by any constitutional disorder, bodily or mental, as may be received with the prisoners, or as he may be able to obtain from the prisoners themselves.

To examine prisoners on admission, and to keep a medical book.

3. Prisoners on admission shall be kept separate, if practicable, until examined by the medical officer, and certified by him as fit to be received among the other prisoners.

Prisoners to be kept separate until certified by the medical officer.

4. In the event of a prisoner being found on admission to have been in an unfit state to be sent to the prison, or to be seriously ill, or otherwise than as described in the papers received with him, the medical officer will immediately report the case in writing to the governor, and take such measures as he may deem advisable, until further instructions can be received.

Prisoners received unfit, to be reported.

5. He shall see the "complaining sick" every morning before the prisoners are put to work, reporting to the governor, in writing, those who are fit for, and giving directions, in writing, respecting those who are to be kept from work. He shall visit the sick in the infirmary at such times as may be necessary and convenient; and he shall attend at all times, on receiving information of the serious illness of any prisoner or officer. He shall also be in attendance, when required, to meet the superior authorities of the prison.

Periods of attendance.

6. Orders for removal of prisoners to and from the infirmary shall be on printed forms, stitched in a book, from which the part of the leaf containing the order shall be cut off, and a corresponding entry made on the duplicate part of the leaf; and every such order shall be signed by the medical officer, and given to the proper officer of the part of the prison to which the prisoner belongs. Removals from the infirmary shall take place at such hour as may be determined to be convenient.

Orders for the removal of prisoners to and from the infirmary.

7. The medical officer shall compound all medicine requisite for the use of the patients in hospital, and shall insert, in his own handwriting, in the "Prescription Book," all orders for administering such medicines to the prisoners.

To insert prescriptions in a book.

8. He shall give all necessary directions, in writing, respecting the diet, clothing, work, and exercise of any sick prisoner not removed to the infirmary, which directions he shall cause to be laid before the governor, who shall thereupon act upon the same, unless they shall seem objectionable in point of discipline. In such case the governor shall forthwith confer with the medical officer, and, if necessary, refer the question to the inspector, or to the director; and, in the meantime, the prisoner shall be removed to the infirmary.

Directions respecting diet, &c., of sick prisoners not removed to the infirmary.

9. At the end of each week he shall cause to be delivered to the governor a list of all extra articles, such as wine, beer, &c. issued to sick prisoners, with the names of such patients, and the quantities consumed by each during the week. He shall enforce strict economy in the issue of articles of infirmary diet, especially of wine or spirits.

Consumption of extra articles.

10. Whenever the medical officer shall have reason to believe that either the mind or the body of a prisoner is likely to be injuriously affected by the discipline or treatment observed in the prison, he shall report the case, in writing, to the governor, accompanied by such suggestions as he may think the case requires. The governor shall thereupon alter or suspend the discipline, and regulate the work, as regards such prisoner, accordingly, and record the same in his journal.

Removal of prisoners from under the ordinary discipline on account of mental or bodily infirmity.

11. He

To give directions in cases of infectious diseases.

11. He shall give directions, in writing, for immediately separating from the other prisoners any prisoner having, or suspected of having, infectious, contagious, or mental diseases; and for cleansing, disinfecting, and lime-washing any places occupied by such prisoners, as well as for cleansing, disinfecting, or destroying any infected bedding or clothing.

Medical registry.

12. He shall keep a "Medical Register," in which he shall enter, or cause to be entered, the names of all prisoners in the infirmary, and of all those who are receiving medicines, or other articles appropriated to the use of the sick in the wards or cells; and he shall also enter, or cause to be entered in such register, in the English language, day by day, an account of the state of every sick prisoner, the name of his disease, and a description of the medicines, diet, and any other treatment which he may order for such prisoner; also the date of every removal to the infirmary, and of every discharge therefrom.

Journal.

He shall keep a "Journal," in which he shall enter all matters of importance in regard to the health of the prisoners; and also make out and transmit, through the governor, to the director, a monthly summary of the numbers of sick admitted to the infirmary, or treated in the other parts of the prison. His register and journal, and other books required to be kept by him, shall be submitted to a director when required.

He shall keep such other books as may be required by the director, and shall send in such returns and reports as they may from time to time require from him.

Morning report of the sick.

13. All medicines, medical utensils, and surgical instruments are to be considered in charge of the medical officer; and he is to examine all bills for such articles, certifying that he has received the several items for the use of the sick, and that the prices charged are fair and reasonable. He is required to sign the account of all expenses incurred on account of the sick, and certify that the articles purchased were provided by his direction for their use.

Accounts.

General monthly inspection.

14. He shall, on the first Monday in every month, or as soon after as may be convenient, inspect every part of the prison, for the purpose of ascertaining that nothing exists therein likely to be injurious to the health of the prisoners, and especially that the ventilation is sufficiently provided for and properly attended to. The result of the inspection shall be recorded in his journal. He shall see every prisoner on such occasions, and shall thereupon report, in writing, to the director, on the general state of health of the prisoners, and any circumstances connected with the state of the prison which shall appear to him to require consideration on medical grounds. He shall also frequently visit the kitchen at such times as may be convenient, for the inspection of provisions, cooked and uncooked, reporting thereupon to the governor when necessary.

To inspect the provisions.

To visit prisoners under punishment.

15. On receiving notice of any prisoner's being under confinement for any prison offence, or in separate confinement, he shall visit such prisoner daily, while such punishment shall be continued.

To report the illness of subordinate officers to the governor.

16. When he shall observe, or be called on to attend, any subordinate officer or servant of the establishment who may be incapacitated by illness for the performance of his duties, he shall report upon the nature of such illness to the governor; and shall afterwards report from time to time on the state of such officer's or servant's health and ability to return to duty.

To notify cases of danger to the governor.

17. He shall give notice to the governor, who will communicate with the chaplain of the religious persuasion to which such prisoner may belong, when any case of sickness appears to him to assume an aspect of danger.

Additional medical aid.

18. If any case of peculiar difficulty or danger should occur, he shall have power to call in additional aid, referring previously to the director or inspector for approbation, in every case which will reasonably admit of such reference. No capital operation shall be performed without a previous consultation with another medical practitioner, except under very urgent circumstances, not admitting of delay; such circumstances to be recorded in his journal.

To enter in his journal particulars of deaths.

19. He shall, after the death of any prisoner, enter in his journal a written report containing the following particulars, viz.:—At what time the deceased was taken ill; when the circumstance was first communicated to him; whether there were any special circumstances connected the disease which required observation; what opinion he formed of the case; when the prisoner died; when the coroner sat, the verdict given, and what observations (if any) were made by the coroner, or the jury upon the subject.

Receipt and expenditure of medicines.

20. He shall keep regular accounts of the receipt and expenditure of all medicines, and other medical stores; and shall be responsible that sufficient requisitions are made in time, through the governor, to insure there being always a proper supply of medical stores in the prison. He shall from time to time examine the medicines kept in the surgery, in order to assure himself of their purity.

Orders for diet and other articles.

21. Orders for diet, and all other articles required in the medical department, shall be signed by him.

Absence.

22. If prevented from attending to his duties by illness, or other unavoidable cause, he shall communicate the circumstance without delay to the governor, who will make such arrangements

arrangements for the attendance of the sick, and the performance of his other duties, as may be necessary. Should he at any time require leave of absence, he shall submit, through him to the director or inspector, the name and address of a substitute, for approval.

23. He shall report to the governor any irregularity in the infirmary which may come to his knowledge, or any difficulty or obstruction which he may meet with in the performance of his duty; and he shall consult with the governor, and arrange his general visits and duties so as not to disturb the routine of discipline, or interfere with the regular hours of work.

To report any irregularity in the infirmary.
Arrangement of general duties.

24. He shall examine all subordinate officers joining the service, and, when required, all candidates for employment as subordinate officers or servants of a prison, who may be sent to him for that purpose, and report whether they possess the necessary qualifications as to health and strength.

To examine candidates for situations in the prison.

He shall make an annual report, on or before the 10th January, on the state of health of all the subordinate officers and servants, and their capability to perform their duties.

To report annually on officers.

25. He shall submit to the director, on or before the 10th January in each year, a report, in writing, specifying, with reference to the past year, the state of health in which the prisoners have been received, and the general state of health that has been maintained; the disorders which have been most prevalent; whether any connection can be traced between the diseases which have occurred and the locality or actual state of the buildings, or the diet, employment, or other particular circumstances; the number of deaths; the number of infirmary cases; the number of cases of slight indisposition treated in the wards; and the proportion of sick to the whole number of prisoners during the year; together with any other circumstances with reference to the health of the prisoners that he may consider proper to bring under the attention of the authorities.

Annual report.

RULES now in force for the Medical Officer at Mountjoy Prison.

The Medical Officer.

1. He shall be the resident medical officer of the Mountjoy Male and Female Convict Prisons; he shall not hold any other office, or take private practice. He shall reside at the prisons, and attend all sick prisoners, and all officers and servants of the prisons, and their families resident at or within half a mile of the establishments. He shall have the general care of the health of the prisoners; and shall report to a director, and make known to the governor or superintendent any circumstances connected with the prison, or the treatment of the prisoners which shall at any time appear to him to require consideration on medical grounds.

General duties.

2. Every prisoner, not sent from a convict prison, shall on admission be kept separate until examined by the medical officer, and certified by him as fit to be received among the other prisoners. Others shall be examined as soon as possible after their arrival.

To certify the state of health of prisoners newly admitted.

3. He shall make arrangements with the governor and superintendent for carefully inspecting all prisoners immediately on admission into the prison, and shall examine into their state of health, and shall enter an account of the same in the "Medical Character Book." He shall also insert therein such information respecting their health previous to admission, and their liability to be affected by any constitutional, bodily, or mental disorder, as may be received with the prisoners, or as he may be able to obtain from the prisoners themselves.

To examine prisoners recently admitted, and to keep a medical character book.

4. In the event of a prisoner being found on admission to have been in an unfit state to be sent to the prison, or to be seriously ill, or otherwise than as described in the papers received with him, the medical officer will immediately report the case, in writing, to the governor or superintendent, and take such measures as he may deem advisable, until further instructions can be received.

Prisoners received unfit, to be reported.

5. He shall see the "complaining sick" every morning before nine o'clock, reporting to the governor or superintendent, in writing, as to their treatment. He shall visit the sick in the infirmary at such times as may be necessary and convenient; and he shall attend at all times, on receiving information of the serious illness of any prisoner or officer. He shall also be in attendance, when required, to meet the superior authorities of the prison.

Periods of attendance.

6. Orders for removal of prisoners to and from the infirmary shall be on printed forms, stitched in a book, from which the part of the leaf containing the order shall be cut off, and a corresponding entry made on the duplicate part of the leaf; and every such order shall be signed by the medical officer, and given to the proper officer of the division or part of the prison to which the prisoner belongs. Removals from the infirmary shall take place at such hour as may be determined to be convenient.

Orders for the removal of prisoners to and from the infirmary.

To insert prescriptions in a book, &c.

7. The medical officer shall insert in his own handwriting, in the prescription book, all orders for administering medicines to the prisoners; and he shall compound all medicines required by those whom he is bound to attend under Rule No. 1.

Directions respecting the diet, &c. of sick prisoners not removed to the infirmary.

8. He shall give all necessary directions, in writing, respecting the diet, clothing, work, and exercise of any sick prisoner not removed to the infirmary, which directions he shall cause to be laid before the governor or superintendent, who shall thereupon act upon the same, unless they shall seem objectionable in point of discipline. In such case the governor or superintendent shall forthwith confer with the medical officer, and, if necessary, refer the question to a director; and in the meantime the prisoner shall be removed to the infirmary.

Consumption of extra articles.

9. At the end of each week he shall cause to be delivered to the governor or superintendent a list of all extra articles, such as wine, beer, fish, fruit, &c., issued to sick prisoners, with the names of such patients, and the quantities consumed by each during the week.

Removal of prisoners from under the ordinary discipline on account of mental or bodily infirmity.

10. Whenever the medical officer shall have reason to believe that either the mind or the body of a prisoner is likely to be injuriously affected by the discipline or treatment observed in the prison, he shall report the case, in writing, to the governor or superintendent, accompanied by such suggestions as he may think the case requires. The governor or superintendent shall thereupon alter or suspend the discipline, and regulate the work, as regards such prisoner, accordingly, and report the same as directed.

To give directions in cases of infectious diseases.

11. He shall give directions, in writing, for immediately separating from the other prisoners any prisoner having, or suspected of having, infectious, contagious, or mental diseases; and for cleansing, disinfecting, and whitewashing any places occupied by such prisoners, as well as for cleansing, disinfecting, or destroying any infected bedding or clothing.

Register.

12. He shall keep a "Medical Register," in which he shall enter, or cause to be entered, the names of all prisoners in the infirmary, and of all those who are receiving medicines, or other articles appropriated to the use of the sick in the wards or cells; and he shall also enter, or cause to be entered, in such register, in the English language, day by day, an account of the state of every sick prisoner, the name of his disease, and a description of the medicines, diet, and any other treatment which he may order for such prisoner; also the date of every removal to the infirmary, and of every discharge therefrom. He shall sum up daily in such register the number of prisoners in the infirmary, and the number under medical treatment in other stated parts of the prison.

Journal.

He shall keep a "Journal," in which he shall enter all matters of importance in regard to the health of the prisoners; and also make out and transmit, through the governor or superintendent, to a director, a monthly summary of the numbers of sick admitted to the infirmary, or treated in the other parts of the prison. His register and journal shall be submitted to a director when required.

Morning report of the sick.

13. He shall furnish to the governor and superintendent, daily, a morning report, on the prescribed form, of sick prisoners admitted, discharged, and remaining in the infirmary, and the other parts of the prison.

General weekly inspection.

14. He shall, on Monday in every week, or as soon after as may be convenient, inspect every part of the prison, for the purpose of ascertaining that nothing exists therein likely to be injurious to the health of the prisoners, and especially that the ventilation is sufficiently provided for and properly attended to. The result of this inspection shall be recorded in his journal. He shall see every prisoner on such occasions, and shall thereupon report, in writing, to a director, or other superior authority, the general state of health of the prisoners, and any circumstance connected with the state of the prison which shall appear to him to require consideration on medical grounds. He shall also frequently visit the kitchen at such times as may be convenient, for the inspection of provisions, cooked and uncooked, reporting thereupon to the governor or superintendent when necessary.

Weekly inspection.

15. He shall make a weekly inspection of all the prisoners, so as to ascertain their general state of health, that they are clean in their persons, and free from disease.

To visit prisoners under punishment.

16. On receiving notice of any prisoner being under confinement for any prison offence or in separate confinement, he shall visit such prisoner daily while such punishment shall be continued.

To attend corporal punishment.

17. He shall attend all corporal punishments within the prison; and his instructions for preventing injury to health shall be obeyed.

To report the illness of subordinate officers to the governor or superintendent.

18. When he shall observe, or be called on to attend, any subordinate officer or servant of the establishment who may be incapacitated by illness for the performance of his duties, he shall report upon the nature of such illness to the governor or superintendent; and shall afterwards report from time to time on the state of such officer's or servant's health and ability to return to duty.

To report on particular cases.

19. If any prisoner shall be afflicted with any disorder from which he is not likely to be sufficiently recovered to quit the infirmary, or go to work during the usual term of confinement in the prison, the medical officer shall make, through the governor or superintendent, a special report of the circumstances of the case to a director, with a view to the prisoner being

MOUNTJOY CONVICT PRISON.

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being removed to an invalid establishment, or otherwise disposed of, as may appear desirable.

20. He shall give notice to the chaplain to whose faith the prisoner may belong, when any case of sickness appears to him to assume an aspect of danger. To notify cases of danger to the chaplain.
21. If any case of peculiar difficulty or danger should occur, he shall have power to call in additional aid, referring previously to a director for approbation, in every case which will reasonably admit of such reference. No operation endangering life shall be performed without a previous consultation with another medical practitioner, except under very urgent circumstances, not admitting of delay; such circumstances to be recorded in his journal. Additional medical aid.
22. He shall, after the death of any prisoner, enter in his journal a written report, containing the following particulars, viz.: at what time the deceased was taken ill; when the circumstance was first communicated to him; when the complaint assumed a dangerous aspect; whether there were any special circumstances connected with his disease which required observation; what opinion he formed of the case; when the prisoner died; when the coroner sat, the verdict given, and what observations (if any) were made by the coroner, or the jury, upon the subject. To report on the death of any prisoner.
23. When prisoners are removed from the prison, he shall duly examine them, and certify as to their fitness to leave the prison, and as to such other particulars regarding them as may be required. Examination of prisoners previous to removal.
24. He shall keep regular accounts of the receipt and expenditure of all medicines and other medical stores; and shall be responsible that sufficient requisitions are made by him (through the governor or superintendent) in due time to insure there being always a proper supply of medical stores in the prison. He shall from time to time examine the medicines kept in the surgery, in order to assure himself of their purity. Receipt and expenditure of medicines.
25. Orders for diet, and all other articles required in the medical department, shall be signed by him. Orders for diet and other articles.
26. If prevented from attending to his duties, by illness or other unavoidable cause, he shall communicate the circumstance without delay to the governor and superintendent, and shall submit through the governor, to a director, the name and address of a substitute, for approval. Absence.
27. He shall report to the governor or superintendent any irregularity in the infirmary which may come to his knowledge, or any difficulty or obstruction which he may meet with in the performance of his duty; and he shall consult with the governor or superintendent, and arrange his general visits and duties so as not to disturb the routine of discipline, or interfere with the regular hours of labour. To report any irregularity in infirmary.
Arrangement of general duties.
28. He is to examine all subordinate officers appointed to the establishment before they commence their duties; and when required, all candidates for employment as subordinate officers or servants of the prison, who may be sent to him for that purpose, and report whether they possess the necessary qualifications as to health and strength, and shall make an annual report, on or before the 10th January, on the state of health of all the subordinate officers and servants, and their capability to perform their duties. To examine subordinate officers before commencing their duties, and candidates for situations in either of the prisons.
29. Whenever he shall temporarily absent himself from the prisons, he shall leave notice at the surgery, with the infirmary warder and with the hospital matron, where he may be found in the event of his services being required. Temporary absence.
30. He shall submit to the directors, on or before the 10th January in each year, a report, in writing, specifying, with reference to the past year, the state of health in which the prisoners have been received, and the general state of health that has been maintained; the disorders which have been most prevalent; whether any connection can be traced between the diseases which have occurred, and the locality or actual state of the buildings, or the diet, employment, or other particular circumstances; the number of deaths; the number of infirmary cases; the number of cases of slight indisposition treated in the wards; and the proportion of sick to the whole number of prisoners during the year; or any other circumstances with reference to the health of the prisoners that he may consider proper to bring under the attention of the authorities. Annual report.

— No. 25. —

The Earl of Mayo to the Secretary of the Treasury.

Sir,

REFERRING to your letter of the 10th March last (No. 3588—9/3), relative to the case of Dr. Robert M'Donnell, late medical officer of Mountjoy Male Convict

Irish Office, 25 May 1863.

D

Convict Prison, in which it is stated that as Dr. M'Donnell did not, and was not required to devote his whole time to the service of the public, the Lords Commissioners of Her Majesty's Treasury would not feel themselves justified in awarding to him any retired allowance; I am directed by the Lord Lieutenant to request that you will bring under their Lordships' notice the fact that the rule thus applied to the case of Dr. M'Donnell has not been enforced in dealing with similar cases of officers of the convict service whose offices have been abolished.

The convict establishment at Fort Carlisle was discontinued in 1861, revived in 1863-64, and again discontinued in 1867. On the first discontinuance retired allowances were granted to the medical superintendent, and the Protestant and Roman Catholic chaplains, which were suspended on their re-appointment, and increased allowances granted on the second discontinuance, by Treasury letter of 27th April 1868.

The particulars are as follows:—

	Annual Allowance Granted in 1861.	Annual Allowance Granted in 1868.
	£. s. d.	£. s. d.
Medical Superintendent, Mr. R. B. Travers.	12 10 —	18 11 4
Protestant Chaplain, Rev. F. Shortt.	13 6 8	15 6 8
Roman Catholic Chaplain, Rev. R. Smiddy.	12 — —	19 16 7

These gentlemen are respectively a resident medical practitioner, and parochial clergymen; and it sufficiently appears from the statements of "particulars," &c., submitted to the Treasury in the cases of Mr. Travers and the Rev. F. Shortt, that they did not, and were not required to devote their whole time to the duties of their offices.

Mr. Travers' salary commencing in 1850 at 25 *l.* per annum, and increased in 1857 to 50 *l.*, and in 1866 to 65 *l.*, was obviously not a remuneration for the whole time of a professional man; and it was stated that he was "medical attendant to Aghada Dispensary; also to a few military and coast guards;" and Mr. Shortt, whose salary as chaplain was 40 *l.*, was stated to be "rector of the parish of Corkbegg, and chaplain to the troops quartered at Fort Carlisle."

I am, therefore, desired to request that the case of Dr. M'Donnell may be reconsidered by their Lordships with reference to the precedents thus afforded; and to express his Excellency's hope that their Lordships may feel themselves justified in granting Dr. M'Donnell some compensation for the abolition of his office.

The Secretary to the Treasury.

I am, &c.
(signed) Mayo.

— No. 26. —

Dr. M'Donnell to the Earl of Mayo.

My Lord,

14, Lower Pembroke-street,
Dublin, 13 May 1868.

I am only this evening (13th May) in receipt of your letter and enclosure of the 9th instant; under the present circumstances I lose no time in replying to it.

I trust that your perusal of Captain Barlow's memorandum may convince you

you of the justice of granting the inquiry I have already solicited. Many of the statements made by Captain Barlow (who was no doubt placed in some difficulty by Mr. Murray being absent on leave) could only be refuted by an examination of details such as cannot be thoroughly investigated without a special inquiry. If the assertions are correct, there can, I presume, be no objection to have the subjects inquired into.

I may be permitted, however, briefly to answer some of the points made by Captain Barlow, hoping that by so doing I may induce your Lordship to grant a still fuller inquiry.

Captain Barlow says, "I distinctly assert that months before Dr. M'Donnell discontinued his attendance at the Mountjoy Male Prison, I informed him that had he resigned his appointment during the lifetime of the late Dr. Banon, medical officer of Mountjoy Female Prison, the services of Dr. Banon would have been dispensed with, and a resident medical officer appointed." I have no recollection of Captain Barlow saying anything of this kind to me before Dr. Banon's death. Had I known that the change was contemplated, I would have done my utmost to prevent a change which, as I long since told your Lordship, I believed on public grounds to be a change for the worse.

Whether Captain Barlow told me so or not, has nothing whatever to say to the matter in hand. I would ask, however, if the directors contemplated such a change in the event of my death or resignation, how was it that shortly before his death Dr. Banon's salary was actually increased. Assuredly the natural thing when Dr. Banon applied for an increase, would have been for the directors to have said, We are contemplating a change; if your salary is insufficient you can resign, and so aid us in making an arrangement which we conceive will be for the benefit of the service; but this was not done.

Captain Barlow states that my visits were irregular, uncertain, and hurried; and he makes an elaborate calculation of the average number of minutes I spent in the prison at my daily visits.

Now, my Lord, I hope that you will not be beguiled into using this test of the manner in which I discharged my duties. I have no idea of how many minutes a day I spent in the Mountjoy Prison; I have every reason to think that Captain Barlow's figures are inaccurate, but in truth it is not of the slightest moment. The question is not how many minutes I spent there; it is, did I, on the whole, do my work to the satisfaction of those who were committed to my care, and of those persons, as the chaplain and others, who came like myself into immediate contact with the sick. I would add that the time spent within the prison formed a small part of the time which I gave to the service, as many of my letters, reports, &c., were written at home.

I deny that my visits were hurried; I purposely made my visits at irregular and uncertain hours. I visited at unexpected times, for by doing so I had the surest guarantee that things were going correctly at all times.

Captain Barlow says again, "There have been cases where prisoners marked for the treatment of medical officer by the resident apothecary did not see the medical officer until three or four days had elapsed, and that when they questioned the apothecary on the subject, were told by Mr. Ward that the medical officer had not time to see them on the previous day. Newly-received convicts were not, as is required by the rules, inspected promptly by the medical officer; untried prisoners were not in many instances inspected by him at all; and the governor and superintendent of the Mountjoy prisons experienced much difficulty at times in obtaining from the medical officers necessary medical reports, certificates, &c." In this passage Captain Barlow brings very serious charges against me; such charges can only be answered by an inquiry going into detail.

I know that Captain Barlow has some colour of truth for his assertions, but no one knows better than he does himself that they are in the main very disingenuous. I am prepared to satisfy any impartial person of this; I may give an example: "Untried prisoners were not in many instances inspected by him at all." After the seizure of Fenians at the rising at Tallaght, a large number of untried prisoners were sent to Mountjoy. They were almost immediately removed. These men I did not inspect; but Captain Barlow knows perfectly well that in every fair and reasonable way I performed this duty; and he cannot point out a single case in which it was really neglected or harm came from the neglect of it. He also knows perfectly well (at least if he pleases to refer to them he

has letters before him to show) that the inspection of prisoners *immediately* on reception was one of the duties of the resident officer, Mr. Ward.

Again, Captain Barlow says, "Dr. M'Donnell urges that a visiting medical officer alone can interfere to prevent undue severities towards prisoners. I may fairly ask when he saw, as he states, the entire body of prisoners broken down by punishment, and witnessed severities which caused him to contemplate the resignation of his situation rather than be forced to witness such suffering, why did he not then bring to your notice, or that of your predecessor, the Right Hon. Mr. Fortescue, the state of matters in the male prison, Mountjoy, in place of waiting until, with reference to a matter personal to himself, he refers to it as an argument for continuing a certain system of medical attendance which, in his own case, and by his own admission, has proved to be ineffectual, so far as bringing severities, as he says amounting to cruelty, to the notice of the Chief Secretary or the public." In reply to this I have to say—

1st. *That I did bring* these matters under the notice of yourself and Mr. Fortescue in my annual reports submitted to the directors and by them to the Chief Secretary of the day.

2nd. That my remonstrances *were effectual*, as Captain Barlow himself admits, for he says, "The punishment by deprivation of bedding was at once discontinued at Dr. M'Donnell's suggestion." My statement with regard to the number of cases of punishment in 1862, under Sir W. Crofton, as compared with 1865, under Mr. Murray, is not answered by Captain Barlow's reference to but one class of prisoners. I extract these numbers from "The Reports of the Directors of Irish Convict Prisons."

Y E A R.	Total Number of Prisoners in the Prison.	Total Number of Cases Punished.	Per-centage of Punishments.
1862 - - -	688	132	19½
1865 - - -	449	308	68½

Indeed, my Lord, I think you must admit that Captain Barlow's memorandum is in itself the most unanswerable argument which can be placed before you for instituting the inquiry for which I seek. He states that the circumstances under which I left the convict service were never regarded by the directors in the light of dismissal, yet the whole tenor of the involved and somewhat contradictory document is at variance with this assertion. Perhaps I have been in error in my former communication in using the word hostile with reference to Mr. Murray; I do not conceive that either Captain Barlow or Mr. Murray can possibly entertain any personal enmity to me. I merely accuse them of that instinctive hostility which involuntarily arises against one who appears to be somewhat too independent in his course of action. To this, and not to any purely personal feeling, I attribute what has occurred. If I have been in the right in what I have done; if I have fearlessly exposed certain abuses and done exactly what I conceived the public requires of an officer in such a position as I filled; if it appears that the kind of hostility to which I allude has thus been kindled and culminated in what has virtually been my dismissal, it only remains for me to ask you and the public whom I served, to do me justice.

One word in conclusion, although irrelevant. In a former letter I casually spoke of the Governor of the Mountjoy Prison as a humane and excellent officer. Captain Barlow goes rather out of his way to say that he cannot concur in this, which he is pleased to call a "testimonial." Allow me to assure your Lordship that during the 10 years I was connected with the convict service I came much in contact with Mr. Spread, the present Governor of Mountjoy Prison, and that I believe him to be one of the most honest, upright, zealous public servants that I have ever met. Allow me to remind you of the adage that "Bad workmen have

have bad tools." Sir W. Crofton and Mr. Sentaigue did considerable things with such imperfect tools as myself and Mr. Spread. If we failed in the hands of their successors, I would have you believe that probably we were less skilfully handled. I would have you infer, my Lord, that anyone who could fancy that, in accordance with the rule appended to Captain Barlow's memorandum, he was bound to place on bread and water a Jew or an Unitarian, is wanting in that common sense which is an all important qualification for a director of convict prisons.

The Right Honourable
the Earl of Mayo.

I have, &c.
(signed) *Robert M'Donnell.*

— No. 27. —

Captain Barlow to Sir T. A. Larcom.

Government Prisons Office, Dublin Castle,
27 June 1868.

Sir,

WITH reference to your memorandum, dated 24th instant, and Dr. M'Donnell's letter, dated 13th May, attached, I consider it advisable to reply to the chief points of Dr. M'Donnell's letter, as well as those to which you have directed attention.

1st. Dr. M'Donnell asks why, if it were intended to alter the medical system at Mountjoy, Dr. Banon's salary was increased? The answer is clear; no definite time could be fixed for such alteration, and Dr. Banon's claim for increase could not on such a ground be justly refused.

2nd. The calculation as to Dr. M'Donnell's visit was made thus:—three days in each month were taken, say 10th, 17th, and 30th, and the duration of visit on each of these days was taken throughout. The method seems to me a fair one; in a prison the regular attendance of a medical officer is most necessary; if he is not present, prisoners are well aware of the fact, and frequently refuse to work on the grounds of illness until they have seen the medical officer. The abuses thus arising are too obvious to need further remark.

The Governor frequently stated to me that he found great difficulty in obtaining the necessary medical reports and opinions for documentary purposes.

With respect to Dr. M'Donnell's reasons for irregular visits, I believe he is singular in his views, as all hospitals are visited at regular hours.

3rd. Dr. M'Donnell remarks, "Captain Barlow has some colour of truth," &c.; this is with reference to inspecting untried prisoners. I am quite aware that there was a difference of opinion between the directors and Dr. M'Donnell respecting this duty; it, however, does not bear upon the case. I mentioned this and other facts to show that, excepting by a resident qualified medical man, the rules cannot be complied with. I never made charges against Dr. M'Donnell, or imputed to him want of skill in his treatment of the convicts.

Dr. M'Donnell does not attempt to refute my statement that on some occasions the apothecary told prisoners Dr. M'Donnell had not time to see them on the day they desired to do so.

4th. With respect to my remarks that Dr. M'Donnell had not brought to the notice of the Right Honourable the Chief Secretary the severities he states to have taken place, and Dr. M'Donnell's reply to my remarks, I must say that bringing forward a case of cruelty which took place in January 1865 in his annual report sent in in January 1866, and which would not be placed before the Chief Secretary until some months later, is not the interference which the public would expect from an independent medical officer witnessing cruelties; correspondence there was I believe respecting punishments, but this referred to individual cases in which it was stated bread and water was unsuited, the prisoner being of scrofulous habit, &c.

With respect to the cases of military prisoners referred to by me in my letter

of 11th April 1868, and Dr. M'Donnell's statement, the facts are these: I visited a military prison, and found that prisoners deprived of their beds were not required to lie on the floor, the cell floors being of asphalt; some loose boards placed on tressels formed the bed, a colder and more uncomfortable bed I submit than a cell-boarded floor; the deprivation of bedding in January 1865 in Mountjoy was really no great hardship. Throughout the winter of 1865 and 1866, I was in the prison at all hours of the night, and never once found the temperature low; I believe a prisoner in one of the cells at Mountjoy was more favourably situated with a rug than a prisoner in the military prison with rug and blanket.

With respect to the number of punishments in the prison, and Dr. M'Donnell's remarks thereon, I attach a return for each year from 1861, inclusive, showing the numbers of prisoners in custody, the punishment inflicted, &c. From this it will appear that the punishments in 1861 were six per cent. in excess of those amongst prisoners in probation class, and 19 per cent. higher amongst prisoners in association than in the year 1866; in 1867, however, the percentages of punishments again rise; it is very difficult to account for this, a very small number of troublesome persons may swell the return, but the return for the several years attached shows that the crime in prison varies, rising and falling. A number of punishments does not prove excessive punishment—in 1867 the total number of punishments was 168; taking the punishments on bread and water diet, the facts are these: 13 were for 24 hours, 48 for 48 hours, 49 for 3 days, 10 for 5 days, and 14 for 7 days or over. Of these 134 punishments, 83 were ordered by the governor, and 51 by inspector or directors.

I can offer no opinion as to the personal feeling of Mr. Murray and Dr. M'Donnell towards each other, but a public document so hostile and replete with personal animus as that of Dr. M'Donnell dated 13th May, I have not before met with.

6th. With respect to the governor of Mountjoy, I did not introduce his name into the correspondence. Dr. M'Donnell did so. In replying to his remarks, I left no statement unanswered; hence my remarks as to Mr. Spread. I must now state, with reference to Dr. M'Donnell's further remarks, that I do not consider Mr. Spread to be a satisfactory or efficient officer. During the past four years I have had to perform duties which were properly those of the governor of the prison; and when the untried prisoners were located at Mountjoy, I frequently passed many hours both by night and day in the prison to endeavour, if possible, to keep the prison working as it should do.

Dr. M'Donnell's remarks as to bad workmen, and the imaginary cases of Jew or Unitarian, are unworthy of notice in a public document.

In conclusion allow me to make a remark on a matter personal to myself. Dr. M'Donnell states, "I know Captain Barlow has some colour of truth for his assertions, but no one knows better than himself they are very disingenuous." I consider Dr. M'Donnell's remark most offensive; my veracity during 20 years in the public service (10 in the army and 10 in the convict service) has never been questioned. My statements are, and always have been in every respect, the clear facts of the case.

Major General
Sir T. A. Larcom, K.C.B.
&c. &c.

I have, &c.
(signed) J. Barlow.

Enclosure in No. 27.

MOUNTJOY MALE CONVICT PRISON.

RETURN showing the Number of Convicts confined in each Year since 1861, inclusive; the Number of Punishments inflicted upon Convicts in Probation and Convicts in Association (distinguishing both classes); and the Per-centage of Punishments to Total Number of Convicts confined.

YEAR.	Number Confined		Total Number confined in Prison.	Number of Punishments Inflicted.		Total Number of Punishments.	Per-centage of Punishment			
	In Probation.	In Association.		On Convicts in Probation.	On Convicts in Association.		On Convicts in Probation.	On Convicts in Association.	On Total Number of Convicts confined.	
1861 -	421	50	471	121	22	143	28	44	30.36	Cautions, admonitions, and cases where punishments were ordered, but not inflicted, are excluded from this return. This will explain the difference between the figures here given and those quoted by Dr. M'Donnell. (signed) J. Barlow. 27 June 1868.
1862 -	595	93	688	93	30	123	15	32	17.87	
1863 -	610	105	715	135	24	159	22	22	22.23	
1864 -	496	103	599	100	55	155	20	53	25.87	
1865 -	341	108	449	134	36	170	39	33	37.86	
1866 -	318	97	415	71	25	96	22	25	23.13	
1867 -	320	73	393	119	49	168	37	67	42.74	

(signed) R. D. Spread, Governor, 27/6/68.

— No. 28. —

The Secretary of the Treasury to the Earl of Mayo.

(8574—23-6.)

My Lord,

Treasury Chambers, 24 June 1868.

With reference to your letter, dated the 25th ultimo, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of his Excellency the Lord Lieutenant of Ireland, that although it is quite clear that Dr. M'Donnell would have had no claim to a superannuation allowance had he retired on account of age or ill-health, yet, after a careful consideration of the circumstances of the case, my Lords feel justified in granting compensation for the loss of his office as Medical Superintendent of Mountjoy Prison.

My Lords have therefore been pleased to award to him a compensation allowance of thirty-seven pound ten shillings (37 l. 10 s.) per annum; and they will be prepared to give instructions to that effect to the Paymaster General on being informed of the date of the cessation of Dr. M'Donnell's salary.

The Chief Secretary for Ireland.

I am, &c.

(signed) Geo. A. Hamilton.

— No. 29. —

The Earl of *Mayo* to Dr. *M'Donnell*.

Sir,

Irish Office, 1 July 1868.

REFERRING to your letter of the 31st March last, in which you stated that your having been set aside without any compensation is felt by you as tantamount to dismissal from office, I am directed by the Lords Justices to inform you that the Lords Commissioners of Her Majesty's Treasury have been pleased, on a representation from their Excellencies, to reconsider your case; and their Lordships state that, "although it is quite clear that Dr. M'Donnell would have had no claims to a superannuation allowance had he retired on account of age or ill-health, yet, after careful consideration of the case, my Lords feel justified in granting compensation for the loss of office." And their Lordships have therefore been pleased to award you a compensation allowance of 37 *l.* 10 *s.* per annum.

With reference to your letter of the 13th May last, I am directed to state that their Excellencies have fully considered the circumstances set forward in that and your earlier letters, but do not feel that any further inquiry is necessary.

Robert M'Donnell, Esq., M.D.

I am, &c.
(signed) *Mayo*.

— No. 30. —

Dr. *M'Donnell* to the Earl of *Mayo*.

My Lord,

14, Lower Pembroke-street, Dublin,
3 July 1868.

I HAVE received your letter of the 1st.

I am obliged to your Lordship for having induced the Lords of the Treasury to reconsider my case. I accept the inconsiderable sum thus tardily conceded to me as compensation, not on account of its value, but because it is a tangible proof that I was not deprived of my office on account of anything discreditable. As your Lordship must be aware, from my former correspondence, I did not solicit any reconsideration of this question, because I regarded other matters mentioned in my letters as by far more important than any merely personal issue.

I thank your Lordship for the pains you have taken in obtaining this compensation for me (even contrary to the Treasury regulations), solely because in this lies the surest testimony that your decision is in my favour; and I still sincerely hope that the same sense of justice which has led your Lordship to take all this trouble, may also lead you to institute a searching inquiry; until then my answer to the charges brought against me by Captain Barlow must be that I have challenged the most thorough investigation into the truth of those charges.

I have, &c.
(signed) *Robert M'Donnell*.The Right Honourable the Earl of Mayo,
&c. &c.

MOUNTJOY CONVICT PRISON.

COPY of CORRESPONDENCE between the Treasury, the Irish Government, and Dr. *Robert M'Donnell* relative to the Change in the Medical Management of the MOUNTJOY CONVICT PRISON, whereby Dr. *M'Donnell* was deprived of the Office of Medical Superintendent without Compensation.

(*Mr. Pin.*)

COPY of a further LETTER from the Earl of Mayo to Dr. *M'Donnell*, dated 1 July 1868, and of Dr. *M'Donnell's* Reply thereto, dated 3 July 1868.

(*Earl of Mayo.*)

*Ordered, by The House of Commons, to be Printed,
31 July 1868.*

PRISON DIETARIES (IRELAND).

RETURN to an Order of the Honourable The House of Commons,
dated 6 March 1868;—*for*,

COPY “ of CIRCULAR addressed by Inspectors General of Prisons to the Board of Superintendence of Irish County Prisons in reference to the proposed Alteration in the PRISON DIETARIES.”

CIRCULAR No. 235.

Office of Inspectors General of Prisons,
Dublin Castle, 2 March 1868.

Gentlemen,

THE report of the Medical Committee appointed by the Lord Lieutenant to inquire into the dietaries of the county and borough gaols of Ireland having been completed, we have the honour to apprise you that it contains two classes of recommendations for alteration in the prison dietaries; the one prospective, and based on the assumption that the English system of hard labour will be extended to Ireland by the Legislature, and the other framed to come into immediate operation, pending such intended legislation. With the former we have not at present to deal, but having submitted the latter for approval, in accordance with the 84th and 85th sections of the Prisons' Act, the 7 Geo. 4, c. 74, to the Lord Lieutenant, to whom the jurisdiction was transferred by the 3rd section of the 19 & 20 Vict. c. 68, and having received the sanction of his Excellency, we have now to inform you that, until the English system of hard labour be introduced into the Irish gaols, the subjoined dietaries are to be substituted for those now in force, and are to be forthwith established.

We beg to call your special attention to the recommendations of the Committee as to the nature and the quality of the food, and the proportions of admixture, and the preparation of the several items, and also to the accompanying extracts from the report referred to, which bear directly upon the altered dietary now promulgated.

We have, &c.

(signed) *J. Corry Connellan,* } Inspectors General
John Lentaigue, } of Prisons.

The Board of Superintendence,
Gaol.

DIETARIES.

1. DIETARY for Prisoners whose term of Imprisonment shall not exceed One Week.

Class 1, Males.—Breakfast—8 oz. meal, in stirabout, and half pint new milk. Dinner—14 oz. bread, and 1 pint vegetable soup.

Class 2, Females.—Breakfast—7 oz. meal, in stirabout, and half pint new milk. Dinner—12 oz. bread, and $\frac{3}{4}$ pint vegetable soup.

Class 3, Males and Females under 15 Years.—Breakfast—5 oz. meal, in stirabout, and half pint new milk. Dinner—Not less than 8 oz. brown bread, and 1 pint vegetable soup. Supper—4 oz. brown bread.

2. DIETARY for Prisoners whose term of Imprisonment shall exceed One Week, for Untried Prisoners who do not Maintain themselves, and for Pauper Debtors.

Class 1, Males.—Breakfast, 8 oz. meal, in stirabout, and half pint new milk. Dinner—14 oz. bread, and 1 pint new milk. Supper—6 oz. bread, and half pint new milk.

Class 2, Females.—Breakfast—7 oz. meal, in stirabout, and half pint new milk. Dinner—12 oz. bread, and $\frac{3}{4}$ pint new milk. For Supper—5 oz. bread, and half pint new milk.

Class 3, Males and Females under 15 Years.—Breakfast—5 oz. oatmeal, and half pint new

new milk. Dinner—Not less than 8 oz. brown bread, and 1 pint of vegetable soup. Supper—5 oz. bread, and half pint new milk.

Potatoes are to be substituted for bread at dinner on three days in the week, in the following proportions:—Class 1, 3 lbs.; Class 2, 2½ lbs.; Class 3, 2½ lbs.

Roman Catholic prisoners, on the first and last Wednesdays in Lent, and on Good Friday, are to receive in place of milk, 2 oz. molasses at breakfast, vegetable soup at dinner, and tea without milk at supper on those days.

The meal directed in the above Tables to be used at breakfast may be oatmeal, or mixed meal, composed of equal parts of oatmeal and Indian meal. Vegetable soup should be made according to the following formula:—Add to one gallon of boiling water 8 ozs. of oatmeal, blended in a little cold water, 2 lbs. of turnips peeled and sliced, 4 ozs. of onions cut small, and as much pepper and salt as will make it palatable; when boiled for one hour it is fit for use—parsnips or carrots may be substituted for turnips. The bread is to be made of wholemeal, or of equal parts of seconds flour and wholemeal. The tea is to be made with half a pound of tea and one pound of sugar to four gallons of water, and one quart of new milk. Buttermilk may be used instead of new milk once a day, either at breakfast or dinner, if the surgeon approve of the change; and the equivalents shall be for every half pint of new milk one pint of butter milk.

EXTRACTS FROM THE REPORT OF THE COMMITTEE.

WE are strongly in favour of the introduction of the potato into the prison dietaries. It is right, however, to refer to the fact that for years past the potato crop in Ireland has been an uncertain one, and that even in the best seasons the "potato blight" has been met with in some localities; the cost, too, rises considerably in the summer months, yet by careful storing, or by a fair contract, there seems no reason why this article of food, to which the people have been so long accustomed, should not be provided and given with sufficient liberality. As Castlebar, potatoes are supplied by yearly contract at 4 *d.* a stone. It is required that they should be washed before delivery at the prison; and before they are boiled, they are picked by some of the prisoners, and those found to be bad are rejected.

And this opens another consideration, namely, the question of the bulk of food. An Irish labourer will often consume half a stone of potatoes at a meal, but if he has kitchen with his meal, that is a bit of bacon, or eggs, or salt herring, or dripping, or milk, a quarter or a third of a stone will suffice. Now it is plain that to people accustomed to this bulk of diet, a meal in smaller quantity, even though it might be equally or more nutritious, will not be so satisfying. And this explains the circumstance that there is often at first a falling away in the condition of the inmates of prisons, coupled with an inaptitude to labour, but that after a time the system seems to recover.

We have to propose, in addition to the use of potatoes, other modifications in the prison dietary as established, viz., the introduction of vegetable soup, and, prospectively, of soup made with both meat and vegetables. We also propose to give to certain classes of prisoners tea at the supper meal. These changes will affect both the quality and the quantity of food, and facilitate the carrying out the principle of variety in the diet.

It is the practice at the Westmeath County Gaol to give a vegetable soup, and we have found it of most excellent quality; it was composed of oatmeal, onions, carrots, and turnips, with the condiments of pepper and salt. It was hot, savoury, and not thin, and appeared to us a most relishing article of diet.

It is unnecessary for us to dilate on the advantages of a supply of well-dressed vegetable food, and in this country it will have an additional value as a substitute for the potato, when that esculent is scarce or of inferior quality.

With respect to the quality of food to be employed, it is unnecessary for us to state that it should be of the best. To provide bad food, by accepting the lowest tender, must be the worst economy. We have already given our testimony as to the excellent nature of the supplies of bread, meal, and milk, in most of the prisons which we have visited, and have stated our opinion that to this circumstance the good health of the prisoners is in a large measure to be attributed. In two gaols we found the milk poor; in one decidedly bad. Yet in those, as in other places, the duty of inspecting and reporting on the food is entrusted to the chaplains. We are of opinion that this arrangement requires modification.

In every prison a daily inspection of the food should be made by the governor or surgeon, or by both; and as regards the question of milk, every prison should be provided with a lactometer and cream tube. Yet it is obvious that if Boards of Superintendence contract for milk, which has been the only substitute for meat in our prison dietaries, at 40 per cent. under the market price, no regulation would avail.

The specific gravity of good milk should be from 1028 to 1035, and the lower specific gravity does not necessarily imply an inferior milk, as it may be caused by a larger proportion of cream. Hence the necessity of the use of the cream tube as well as that of the lactometer.

We cannot too strongly insist on the importance of providing good milk. In the Irish as in the Scotch prison dietaries, milk has been the only substitute for meat, and it is much

much to be regretted that this all-important source of nourishment should be rendered defective by the practice of a false economy, or that the want of a proper vigilance on the part of those whose duty it is to examine the supply, should afford an opportunity for fraudulent adulteration of the article.

In our proposed dietary we recommend an increased quantity of new milk for all classes of prisoners, and that, with the sanction of the surgeon, buttermilk may be substituted at breakfast or dinner; in the proportion of one pint of the latter in lieu of half a pint of the former.

We recommend that the bread for prisoners should be made with whole wheatenmeal or with equal parts of wholemeal and seconds flour. In the Westmeath County Gaol it was the practice formerly to prepare the bread from the flour ground in the prison, by which a perfectly wholesome bread was obtained. But owing to the great diminution of late years in the number of prisoners who could be employed at the mill, this system has been discontinued.

We propose that prisoners of all classes should receive for breakfast certain quantities of meal made into stirabout or porridge; the meal may be either oatmeal or equal parts of oatmeal and Indian meal. With regard to the former, care should be taken that it has been sufficiently cleaned and dried. In the Westmeath County Prison there is a mill and kiln for the preparation of oatmeal, by which a supply of the very purest and best article is obtained. The proper drying of the meal insures the safety of its storage as well as its improvement as an article of diet, whether we consider it as to its quality, or the bulk of the mess of porridge for each prisoner; and we see no reason why the authorities of other prisons should not adopt the same system which has been the practice in the Westmeath County Gaol, where oatmeal is seldom used until it has been made at least 12 months; that at present in use has been in store for a year and a half. The drying gives a greater amount of nutriment for an equal weight of the oatmeal. We have ascertained that 8 oz. of oatmeal, if in good condition, as just described, will weigh about 3 lbs. when made into stirabout.

We recommend that Indian meal, when used, should always be in combination with oatmeal. To make a digestible porridge of the admixture of the two meals requires, however, careful manipulation, inasmuch as the Indian meal takes a longer time to cook than oatmeal. The meal from the European maize is to be preferred to that of America.

In all cases the stirabout or porridge should be served hot.

As to the use of simple gruel, especially as a substitute for milk, we recommend its discontinuance. It is an article not in use by the people, and is only acceptable to prisoners on account of its being served warm. Its nutritive value is of the lowest.

PRISON DIETARIES (IRELAND).

COPY of a Circular addressed by Inspectors
General of Prisons to the Board of Superin-
tendence of Irish County Prisons in reference
to the proposed Alteration in the Prison
DIETARIES.

(*Earl of Mayo.*)

*Ordered, by The House of Commons, to be Printed,
9 March 1868.*

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PRISON DISCIPLINE IN THE COLONIES.

DIGEST AND SUMMARY

OF

INFORMATION RESPECTING PRISONS IN THE COLONIES,

SUPPLIED BY THE

Governors of Her Majesty's Colonial Possessions,

IN ANSWER TO

Mr. Secretary Cardwell's Circular Despatches of the
16th and 17th January 1865.

Presented to both Houses of Parliament by Command of Her Majesty.
1867.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE,

1867.

3964

DESPATCHES FROM COLONIAL GOVERNORS, LIEUTENANT-GOVERNORS, AND ADMINISTRATORS, CONVEYING INFORMATION ON THE STATE OF PRISONS IN COLONIES.

Jamaica, No. 48, 1865; 69, 1865; 86, 1865; 48, 1866.
 Turks Islands, No. 25, 1865; 3, 1865.
 British Guiana, No. 64, 1866; 36, 1862; 49, 1862; 52, 1862; 150, 1862; 188, 1862; 24, 1863; 64, 1863; 191, 1865.
 Bahamas, No. 184, 1865.
 Trinidad (in 4725, 1866).
 Barbados, No. 407, 1865; 311, 1864.
 St. Vincent, No. 311, 1865; 306A, 1865; 337, 1865.
 Grenada, No. 250, 1865; 287, 1865; 288, 1865.
 Tobago, No. 147, 1865; 139, 1865.
 St. Lucie, No. 245, 1865.
 Antigua, No. 33, 1865; 6, 1864; 26, 1865.
 St. Kitt's, No. 77, 1865; 17, 1865; 62, 1865.
 Nevis, No. 88, 1865.
 Virgin Islands, No. 68, 1865; 12, 1865; 62, 1865.
 Dominica, No. 70, 1865.
 Mauritius, No. 261, 1865. Separate despatch, July 5, 1865. Separate Despatch, July 26, 1866.
 Canada, No. 15, 1866; 113, 1865.
 Nova Scotia, No. 106, 1865. (See the following table.)
 New Brunswick, No. 52, 1866.
 Prince Edward's Island, No. 54, 1865.
 Vancouver Island, No. 34, 1865.
 British Columbia, No. 37, 1865.
 Falkland Islands, No. 6, 1866.
 Bermuda, No. 34, 1865.
 Malta, No. 28, 1865.
 Gambia, No. 97, 1865.
 Cape of Good Hope, No. 30, 1865. (See the following table.)
 St. Helena, No. 52, 1865.
 Gibraltar, No. 70, 1865.
 Queensland, No. 59, 1865.
 Tasmania, No. 1, 1866.
 South Australia, No. 38, 1865.
 Western Australia, No. 53, 1866; 54, 1866.
 Ceylon, No. 211, 1866.
 Hong Kong, No. 174, 1865.

(Note.) The despatch enclosing the answers to interrogatories is first given, then other dispatches in order of time.

COLONIES WHICH HAVE NOT REPLIED.

1. British Honduras.
2. Montserrat.
3. Newfoundland.
4. Sierra Leone.
5. Gold Coast.
6. Lagos.
7. British Kaffraria.
8. Natal.
9. Heligoland.

10. New South Wales.
 11. Victoria.
 12. New Zealand.
 13. Labuan.
 - 14, 15. From the Cape of Good Hope and Nova Scotia no answers to interrogatories have been received, but some general information is given in despatches from the Governors.
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DIGEST AND SUMMARY
OF
INFORMATION RESPECTING PRISONS IN
THE COLONIES,

ETC. ETC.

EXTRACT.

“ SIR, 2 Cloisters, Temple, January 3, 1867.

“ I HAVE the honour to enclose a Digest of the Information concerning
“ Prisons in the Colonies, received in answer to the Secretary of State’s
“ Circulars of January 16th and 17th, 1865, and referred to me in pursuance
“ of your letter of July 30th, 1864.”

“ The First Part of the Digest describes the state of Colonial Prisons.
“ A Second Part is an attempt to summarise, for the benefit of Colonial
“ Authorities, the chief results of the experience of this country in the
“ management of Criminals.

* * * * *

“ I have, &c.

“ Sir Frederic Rogers, Bart., R. S. WRIGHT.

“ &c. &c. &c.

“ Colonial Office.”

IN January 1865 the following Circular Despatches were addressed by Her Majesty's Principal Secretary of State for the Colonies to the Governors respectively (1) of Colonies with Governments not responsible to the Colonial Legislatures, and (2) of Colonies with responsible Governments.

No. 1.

SIR,

Downing Street, January 16, 1865.

IN the Duke of Newcastle's Circular Despatches of the 19th of August and 19th of October 1863 the Governors of Her Majesty's Colonies were furnished with copies of the Report and Evidence presented by the Committee of the House of Lords on the State of Discipline in Gaols, and with copies of the Report and Evidence presented by the Royal Commission on Penal Servitude. These documents were brought to the notice of the Governors from the desire felt by Her Majesty's Government that the results of the extensive experience obtained in this country on these subjects, and the evidence (so laboriously collected) by which those results had been ascertained and brought to light, might not be altogether lost to the Colonies; but that, on the contrary, the Colonies might be enabled to share with this country the benefit to be derived from experiments and operations on the largest scale, conducted with care and vigilantly observed, and from the labours of our most enlightened public men in digesting our experience and drawing conclusions from it.

I am not informed whether, in the Colony under your government, these documents have obtained the attention which it was hoped that their importance would command; but Her Majesty's Government do not relinquish the desire that the state of the Colonial Prisons and the System of Discipline in operation should be investigated with a view to ascertain how far they are in accordance with principles adopted in this country, or how far they are open to objection and capable of improvement.

In order to the institution of such an inquiry, I transmit to you herewith a series of interrogatories, to which I request that you will furnish me with answers as early as you conveniently can, accompanying them with any remarks by which I may be enabled the better to understand the state of the prisons in your government, the system of discipline pursued in them, and the means by which it may be practicable to effect improvements.

You will observe it to be stated by the Lords' Committee, as their very "decided opinion," that, "having reference to the course of legislation, now extending over many years, and the agreement in opinion and practice of the highest authorities, the system generally known as the Separate System must now be accepted as the foundation of "Prison Discipline." Those of the interrogatories which have reference to this system will, therefore, demand your special care and attention; and you will bear in mind that no ordinary difficulties from defects in the construction of a prison, nor indeed any difficulties which are not absolutely insurmountable, should be allowed to stand in the way of the establishment of this system; nor will you fail to perceive on examination of the Committee's Report and the evidence attached to it, that in this country it has been found possible, by zealous and judicious efforts, to effect the introduction of the system, notwithstanding many defects and insufficiencies of construction and means. Should separation be absolutely impracticable in the prisons as they are, it will be for the consideration of the Legislature whether means cannot be found for effecting the alterations required in them.

The question which is perhaps next in importance is the penal efficacy of the labour exacted from offenders under sentence of imprisonment with hard labour, and the methods by which that efficacy is ensured; and you will observe that the object of the sentence is inevitably sacrificed when industrial and productive employment is substituted in short terms of imprisonment, or in the earlier stages of long terms, for labour strictly penal; whilst it will be found to be a delusion to suppose that any real economy is effected by defeating the object of the sentence. On the contrary, the result of all attempts to economise by industrial employment at the sacrifice of effective punishment, is to show

that whilst the labour of the prisoners does not repay the cost of their subsistence and supervision, their number is the greater in proportion as the labour is less deterrent, and the community is charged with the cost of more prisoners, whilst at the same time it suffers by the commission of more offences. Thus labour enforced by the tread-wheel or the crank for a minimum term of imprisonment or portion of the sentence, is considered by the Lords' Committee to be essential in the case of every prisoner condemned to imprisonment with hard labour.

In the later stages of a long imprisonment a different regimen may be applied. It is, indeed, by severe suffering in the earlier portion of a sentence, rather than by sufferings prolonged through a series of years, that a deterrent effect is produced; for the class of persons by whom offences are generally committed do not look far forward, and they are governed by what is presently and not by what is distantly within their view.

Rigorously penal labour, therefore, which is generally of necessity wholly or more or less unproductive, should be enforced at first; and afterwards, in long sentences, it may be possible to combine industrial employment with some relaxation of penal rigour.

It is probably also in the stages of imprisonment subsequent to those which are most severely penal, that efforts for the reformation of offenders may be made with the best prospect of success; and you will perceive that the division of the prisoners into classes, and their promotion from one class to another, (after the severely penal stage of imprisonment has been undergone, but not before), has been found to be of much use in furthering the efforts made for the reformation of prisoners. But the promotion should proceed upon such evidence of self-control as shall be afforded by actual labour performed where the employment is industrial, rather than upon more uncertain indications of improvement in character and disposition. Another advantage derivable from this system of classification and promotion is, that the authorities of the prison will find themselves enabled to maintain discipline with less effort, with less irritation on all sides, and with less recourse to methods which are painful to humane officers, and hardening to those to whom they are not painful.

In the same direction, and with the same view, the system may be resorted to which is commonly known as the Ticket of Leave System. It would seem, indeed, that in small communities, where supervision after release can be exercised more readily and efficiently, and in Colonies where labour is more in demand and subsistence more surely obtainable than in this country, the Ticket of Leave system might be pursued with fewer difficulties and drawbacks than are found to attend it here. But wherever adopted, it is indispensable that its operation should be duly regulated and guarded, so as not to interfere with the absolute certainty that an adequately deterrent punishment will be inflicted, and that no abridgments of sentences will take place till after this punishment shall have been undergone. With this view a distinct limit should be fixed to the abridgments of imprisonments to be granted in respect of good conduct and amount of labour performed in prison; and the system should be clearly explained to the Courts and Judges, so that the sentences passed may be adequately penal and deterrent, notwithstanding any possible remissions under tickets-of-leave. And when legislation is required to adapt the criminal law to the system, the Local Government, with the assistance of the law officers of the Crown should apply for the assistance of the Legislature.

Having thus pointed to the main features to be kept in view in any efforts to be made for the improvement of prisons, I will only add that I feel assured that the importance of the object to the public welfare will commend it to your attention as well as to that of the public officers, magistrates, and others who may have any means of contributing to its attainment; and as the first step must be to ascertain with completeness and precision the state of things now existing, I request you to obtain as fully and exactly as may be in your power, the information sought by the enclosed series of interrogatories.

I have, &c.

E. CARDWELL.

No. 2.

SIR,

Downing Street, January 17, 1865.

I ENCLOSE for your information and that of your advisers, should they feel disposed to make themselves acquainted with its contents, a copy of a circular despatch which I have addressed to the Governors of Colonies in which the Government is not responsible to the local Legislature. You will perceive that the object of the despatch is to obtain, in the form of answers to a series of interrogatories, an exposition of the state of the

colonial prisons in respect of their construction, discipline and management, with a view to ascertain how far they are in conformity with approved models in this country, and what reforms may be required in them.

The system of government established in the colony under your government relieves me from the responsibility under which I lie in respect of the colonies to which the circular is addressed; but I am not the less desirous to afford the authorities acting under you any assistance which they may desire to receive in applying the experience of this country, and the labours of the eminent men who have made that experience their study, to the purpose of effecting any amendments which may be needed in the prisons and systems of prison discipline in use in the colony of —.

I beg you, therefore, to make such use as you may think proper and convenient of the papers which accompany this despatch, and to report to me any steps you may have taken, and their result.

I have, &c.

E. CARDWELL.

(Enclosure in the Circular Despatches of 16th and 17th January 1865.)

Interrogatories respecting the Construction, State, Discipline, and Management of each Prison, House of Correction, Lock-up House, Convict Depôt, Penal Settlement, or other Place of Confinement in the Colony of —.

INTERROGATORIES.

- I.—The classes of offenders for whom this prison was intended. Are any others ever confined in it?
- II.—The number of prisoners for which it was intended; and the actual average, greatest, and smallest numbers for the last five years.
- III.—The substance of the public laws under which the prison is maintained and controlled. (Copies of the laws to be appended.)
- IV.—The internal rules and regulations of the prison. By whom and by virtue of what authority were they framed, and who has the power to alter them?
- V.—The nature of the funds by which the prison is maintained, and annual cost of its maintenance during the last five years.
- VI.—The site and general arrangement of the building, and the materials of the walls, roof, and partitions.
- VII.—Is there any certification of cells by superior authorities? If yes, state whether uncertified cells are ever used, and for what terms, and whether reports are made of the fact.
- VIII.—1. The provisions for sewerage and drainage, the position and state of the latrines and urinals.
2. The water supply; its sources, quality, and amount.
3. The means for ventilation: *a*, of the building generally; *b*, of the separate wards or cells.
4. The baths and lavatories.
5. The means for heating; and the average temperature in hot and in cold seasons.
6. The amount of window-space, exclusive of bars; the provisions for lighting.
- IX.—The height, length, and breadth of the wards or cells, and the contents in cubic feet. If there are any general wards, state also the interval between the beds.
- X.—Is a separation, complete or partial, in use? How is it carried out in the matters of labour, exercise, and attendance at chapel? Is silence enforced? Are unconvicted prisoners in these respects treated like the others?
- XI.—Is solitary confinement in use, and for what lengths of time, and by whose authority in each case? What reports are made of it? Are there any and what public laws on the subject?
- XII.—The kinds of penal labour in use, for what classes of prisoners, for how many hours per day, with what reliefs, and how adapted to differences of strength. If you use the crank or wheel, describe the construction, and state how and by whom the amount of resistance is regulated. Put in your scale of labour. Is shot drill used?
- XIII.—Can sentences of flogging be pronounced by the courts of justice for offences out of the gaol, and are they, in practice, pronounced and inflicted? And if so, for what offences, and, as far as can be judged, with what effect. State the particulars (so far as they are applicable) as to which inquiry is made under Interrogatory 27—respecting flogging for gaol offences.
- XIV.—The industrial or productive kinds of labour in use. Are prisoners ever employed outside the prison, or allowed to work for the officers or the gaoler?
- XV.—The provisions for exercise.
- XVI.—The scale of dietary; by whom was it framed, and who has the power to alter it?
- XVII.—The nature of the beds and the number of hours allowed for sleep.
- XVIII.—In what respects are insolvent debtors differently treated from persons imprisoned on criminal charges? What is the greatest length of time during which any insolvent debtor, who has been in prison at any time within the last five years, has been confined there?
- XIX.—The mode of treatment of imbecile or maniacal prisoners, of criminal children under 15 years of age, and of infants born in the prison or brought in with their mothers.

XX.—Are the male and female prisoners allowed to have any communication? Are they attended by warders of their own sexes?

XXI.—The powers, duties, and mode of appointment and removal of the visitors, governor, head and under warders, and medical officer.

XXII.—The numbers of gaolers and warders of either sex for day and night. State whether they reside within the walls, how they are paid, and whether their pay in any way depends on gratuities or premiums.

XXIII.—The arrangements with respect to stores and accounts.

XXIV.—The provisions for instruction and for religious services.

XXV.—State whether you attempt the reformation of prisoners by marks, by remissions or gradations of punishment within the prison, by gratuities, or how otherwise.

XXVI.—In what cases, by what authority, under what conditions, and with what results as to re-committals, are abridgments of the term of imprisonment granted by tickets-of-leave or otherwise?

XXVII.—The punishment for gaol offences. If flogging is in use, state the precautions taken to ensure the cat in use being always identical with a model approved by the proper authorities, the number of lashes, and the usual effect on the conduct of the prisoner; by whose authority it may be inflicted, whether the medical officer of the prison is present, and what interval elapses between the offence and the punishment. What records are kept and what reports made? Give also the length, weight, and description in every other particular of the model cat, and state whether it is identical with any cat authorized for use in Her Majesty's army or navy, or in prisons at home.

XXVIII.—The number of escapes during the last five years, and the measures taken for better security.

XXIX.—The means used for the identification of old offenders; and the proportion of convicted prisoners who are known to have been more than once, more than twice, and more than three times convicted.

XXX.—The regulations or practice with reference to visits of friends, and writing and receiving letters.

XXXI.—The death-rate and causes of death for the last five years. The nature of the diseases most common in the gaol. The number of persons who have become insane within the gaol. If there have been any suicides, state what verdicts were returned. Are coroner's inquests held in all cases of death within the gaol?

XXXII.—The arrangements for medical inspection and treatment. Is there a gaol hospital?

XXXIII.—The arrangements for visitation and inspection by superior civil authorities, whether and how often the prison is visited and inspected by the governor himself, and whether the visits be periodical or occasional, and if occasional, whether they be visits after notice given or visits of surprise, or both.

XXXIV.—What books are made up, and by whom; and in what custody are they commonly left?

XXXV.—Whether periodical reports and returns are furnished to the governor of the state of the prison, and of the statistical details connected with it.

XXXVI.—Are there any defects in the structure, sanitary state, or discipline of the prison to which you wish to direct attention?

XXXVII.—If you have furnished no information on some of these topics, state why not, and whose duty it is to be able to furnish it, and in whose custody the registers or other documents relating thereto should be and are.

Thirty-three colonies (inclusive of Gibraltar) have responded to the invitation of the Imperial Government, and have returned information more or less complete of the condition in 1864 of 14 central prisons, penitentiaries, reformatories, and convict establishments, 186 district, county, and borough goals, prisons, or houses of correction and detention, and 161 lock-ups.*

The first part of this digest gives a summary of the general state of prisons in the colonies which have answered, accompanied by comparative tables exhibiting the principal matters capable of numerical statement, and followed by a schedule of all the prisons individually, with their several deficiencies.

The second part comprises a summary of the chief principles of prison discipline laid down by those who have from time to time been charged with the consideration or the administration of the prison system of this country, and considerations as to the practicability of applying such recommendations in colonies with different conditions of race, climate, and social state.

Lastly, some details of documents, sanitary arrangements, rules, and statistical forms are added in an Appendix.

* The information as to the lock-ups is seldom detailed.

PART I.

(A.) WEST INDIAN DEPARTMENT.

PART I.
Jamaica.

1. *Jamaica*.—There are in Jamaica eight district prisons (besides lock-ups), three county gaols, a reformatory for boys and girls, and a general penitentiary for males and females. The penitentiary was primarily intended for the worse offenders convicted of crimes approaching or amounting to felony; the county gaols should be merely houses of detention for prisoners untried or awaiting execution, and for debtors; the district prisons appear to have been intended for all classes of prisoners except the worst. There is no report of the state of the reformatory.

There is room in the penitentiary, county gaols, and district prisons for about 700 prisoners, partly in cells, but the greater part in association. The actual numbers in them on May 9th 1865 were 1,354.

The annual total of admissions to the penitentiary rose from 736 in 1862 to 1,337 in 1864; the daily number of inmates from 283 in September 1861 to 656 on May 9th 1865.

In the district prisons and county gaols there was an increase of 331 in the aggregate daily numbers of inmates between September 30, 1861, and September 30, 1864.

The increase has been not sudden but steadily progressive. It is made up chiefly of minor offences, such as vagrancy, lesser assaults, disorderly conduct, but especially larceny, the number of committals for which increased by 269 in one year (1863-4). The more serious crimes show an increase, but one less rapid and steady, from 1861 to 1863, a decrease on the whole in 1864 as compared with 1863.

The following Table shows the Committals to the Penitentiary for those years:—

Year.	Murder.	Manslaughter, &c.	Rape, &c.	Assault.	Arson.	Burglary.	Killing or stealing Horses or Cattle.	Forgery.	Larceny or Receiving.	Unnatural Crimes.	Police and Military Offences, &c.	Obeah.	Against the Person.	Against Property.	Miscellaneous.	TOTAL.
1862	1	27	8	50	-	27	21	-	317	-	285	-	86	365	285	736
1863	3	28	27	77	1	21	41	5	348	5	376	6	135	416	387	938
1864	1	24	9	77	10	38	33	-	617	13	513	2	111	698	528	1,337

No similar information is given in the case of the other prisons. No particulars of colour or race are stated, except that of 587 prisoners in the penitentiary on Oct. 1, 1864, there were—

Black -	-	-	-	-	498
Coloured	-	-	-	-	76
White -	-	-	-	-	13

587

According to the proportions of race throughout the island, in every 587 persons there would be nearly

Black	-	-	-	-	460½
Coloured	-	-	-	-	108
White	-	-	-	-	18½

587

Much has been done or attempted, especially since 1855, for all the prisons. They are well visited; they are provided with chaplains and surgeons; there are proper safeguards against excess in punishment; and in their sanitary state and in their management, so far as regards humanity of treatment and securities against inhumanity, no general or grave defects appear, apart from that overcrowding which results from the recent increase of commitments, and which is so great that a large proportion of all the prisoners in the island pass 11 or 12 hours at night in less than 200 and the great majority

Prisons over-crowded.

Increase of crimes, 1861-5.

Crimes nearly evenly distributed amongst races.

Improvement in prisons since 1855.

in less than 300 cubic feet of space. But it is otherwise with the discipline, penal and reformatory. PART I.

The Jamaica prisons still impose on the bulk of their inmates little other inconvenience than that they must sleep and work in places not of their own choosing. The General Penitentiary is only partially, the other prisons are not at all adapted by construction for the separation of prisoners during any portion of the term of imprisonment, or even for the classification of anything like the numbers which they actually contain. In general, separation is not attempted, even at night, and felons, misdemeanants, police prisoners, and in some cases persons yet untried, sleep almost in bodily contact, without distinction or supervision. By day, whether at labour, so called, or at meals, communication is generally little restrained. The diets are too high, higher than would in general be obtainable by free persons of the same classes as the prisoners, and are not well graduated for different offences or stages of punishment, nor uniform in all prisons for the same offence or stage. The labour has hitherto been light in kind (road-making, stone-breaking, &c.), too short in duration, considering its nature (9-10 hours), carelessly exacted by overseers not trustworthy, and without any measure of amount. The time for sleep (11 to 13 hours) is by much too long. Communication with friends outside the prisons and the introduction of articles of luxury are generally easy; escape is not difficult; reformation, by rewards, marks, or gradations of punishment, is seldom attempted. Lastly, the system of light out-door industrial labour under lax discipline lessens crime and its penalty in the eyes of those whom it is most important to deter.

Want of
penalty in
prison
system.

Unhappily it cannot be concluded that the great increase of crime in late years is the direct result of this laxity of discipline, and that it must cease under a stricter system; for the same laxity prevailed in Jamaica long before the commencement of the rapid increase, the same laxity prevails in other colonies where, nevertheless, crime remains more nearly stationary, and in Jamaica not all the crimes which are treated with the same degree of laxity have equally shared in the increase. But such laxity, though not the direct cause, may yet be a condition, and perhaps is the most important condition of such increase.

Laxity of
discipline
an important
though not
proved to be
the sole
cause of
increase of
crimes.

It is to be observed that the proportion of known recommitments to the actual total of committals (35 per cent.) in Jamaica, while it is much higher than in other new countries where labour is in demand, is not much higher than in English prisons. Apart from the doubt whether the proportion in Jamaica has not been understated, from the want of proper registration, it would seem fairly to be inferred that with efficient prison discipline a much smaller proportion of persons would commit crime a second or a third time in Jamaica than do so in England.

Large powers of improving the construction and management of prisons in Jamaica have been given to the Governor (in Council or Committee) by the Acts of the Jamaica Legislature, 20 Vict. c. 11, and 28 Vict. c. 22.

Statutory
powers of
Governor.

There are some points in which the laws for the management of prisons and prisoners are not carried out, viz. :—

i. The classification required by 20 Vict. c. 11. Sch. B. is not (and generally cannot be) carried out. Even in the penitentiary juveniles appear to be occasionally associated with adults, in violation of the rules, tit. Prisoners, 14.

Irregulari-
ties.

ii. Persons committed in default of payment of fines are imprisoned in the penitentiary, apparently in violation of 20 Vict. c. 11. ss. 39, 40. Fourteen such persons were so imprisoned in 1864.

iii. By 20 Vict. c. 11. s. 48, cells cannot be used for separate confinement until they have been certified by the inspector of prisons to and approved by the Governor. But so far as appears the cells have been certified by the inspector on his own authority, without the required reference to the Governor. Cells extremely insufficient and unfit to be used have been so certified for use by the inspector.

Two of the rules of the penitentiary require modification. Tit. "the superintendent," No. 20, forbidding the ironing of prisoners at work, except in certain cases, is now inconsistent with 21 Vict. c. 14. s. 7, and should be altered to meet the cases mentioned by that section. Tit. "Prisoners," No. 20, as altered by the Governor in privy council, is too great a departure from the original form in Sch. A. of 20 Vict. c. 11.; is inaccurate in that it confounds the meaning of "felons" and "misdemeanants," and objectionable in requiring persons convicted of unnatural crimes to be distinguished from all others by a peculiar dress.

It appears from the answers to interrogatories and from the accompanying documents that the penitentiary is crowded with persons committed from the police courts of Kingston and by the magistrates of the surrounding parishes; that the presence of such prisoners causes imprisonment in the penitentiary to be more lightly considered; that the constant

PART I.

coming and going of such prisoners "enables the long-sentenced prisoners to form "acquaintances outside the walls, who are ready at all times and in all ways to procure and "attempt to supply them with prohibited articles," to the subversion of discipline; that such prisoners are disgraced out of proportion to their offences by imprisonment in a penitentiary; that partly in consequence of this pressure and partly from its insufficiency of space even without such pressure, the penitentiary is unable to accommodate all the offenders of the worst class; that the surplus of worst offenders overflows into the county and district prisons, to the hindrance of classification and discipline in them, and so that the natural distribution is reversed, the worse offenders being in the less penal prisons and *vice versa*; that the county gaols are not filled, while all other prisons, are overflowing; that Port Maria, Hanover, Falmouth, and St. Catherine's are the most accessible and convenient of the district prisons; and that Montego Bay is inconvenient and unfit for male prisoners, while such a separate prison is not necessary for females. It is therefore suggested, with reference to the distribution of prisoners—

Recom-
mendations.

(i.) That the penitentiary should be enlarged so as to provide for 500 prisoners in proper separate cells, including 100 cells fit for separate confinement by night and day.

(ii.) That persons sentenced by the neighbouring police and magistrates' courts and juveniles should be removed from the penitentiary to Kingston gaol and the reformatory.

(iii.) That no felon and no "misdemeanant of the second class" should be permanently confined in any district prison or county gaol.

(iv.) That women (unless under very short sentences) should be confined only at Falmouth or Hanover or St. Catherine's.

(v.) That Montego Bay prison should be given up, and ultimately also, if the number of prisoners in the island should be sufficiently reduced, Rodney Hall.

The total gross cost in 1864 of all the prisons in Jamaica (inclusive of the reformatories but not of the lock-ups) was about 27,000*l.*; the earnings of the penitentiary were more than 7,000*l.*; the earnings of the other prisons are not stated. The gross cost per head in the penitentiary was 22*l.* 5*s.* 5½*d.* for the whole year, 1*s.* 2*d.* ½*d.* for each day; the net cost 12*l.* 8*s.* 7½*d.* for the year, and less than 8½*d.* for each day. The value of the labour of each working prisoner in district prisons is estimated to be worth from 8*d.* to 1*s.* a day.

The cost of every prison is apparently paid from the general revenue.

Flogging was not, at the date of the answers, in use in Jamaica for offences committed outside the prisons; but it has since been legalised by an Act of the Legislature, confirmed by the Crown, in cases of larceny.

Imprisonment for debt never exceeds a few days.

The proportion of average inmates of prisons to population in Jamaica is about 1 in 340.*

* From the report of the Inspector of Prisons for 1865-6 it appears that the number of prisoners, which had steadily increased up to April 1st, 1866, suddenly fell, after that time, throughout the island. In April 1866 there were in the penitentiaries over 700 prisoners; on Sept. 30th there were only 589. On Sept 30, 1865, there were, in all the prisons of the island, 1,450; on Sept 30, 1866, 1,020 prisoners. The decrease appears alike in the more serious crimes, and in the crime, which seemed to have become endemic, of stealing from provision grounds. It is attributed to the effect on the inhabitants' minds of the punishments for the late disturbances, to a more plentiful crop of provisions, and to the recent flogging bill. It seems probable that the disturbances and the late Commission may have produced some effect, although the precise mode of their influence must be doubtful.

The following table shows the general cost, the earnings, and the average individual cost of the prisoners in the several prisons for the year 1865-6 (Sept. 30—Sept. 30):—

	Total gross cost.			Total earnings.			Net cost per head.		
	£	s.	d.	£	s.	d.	£	s.	d.
Penitentiaries -	13,990	14	4	8,463	5	0	10	6	5
Middlesex County -									
Surrey County -	1,388	6	10				23	2	9
Cornwall County -	971	8	11	74	5	4	26	19	8
Mandeville District -	1,191	12	9	272	8	2	10	2	3
St. Catherine's District -	1,769	12	9	345	14	8	13	19	8
Hanover District -	749	1	1	357	9	8	11	14	0
Montego Bay District -	517	16	3	19	15	10	21	11	6
Falmouth District -	3,037	1	10	735	16	0	22	0	1
St. Mary's District -	795	3	10	326	7	4	14	14	6
Morant Bay District -	636	3	3	105	11	4	13	16	7

No explanation is given of the great disparity of cost in prisons of the same class.

In this year's report accounts have been introduced of 29 lock-ups. Some of these are stated to be well managed, but others are in an unsatisfactory condition. In several there is no separation of sexes; in seven it has been the practice to chain the prisoners. The Governor has directed that chains shall not, in future, be used in lock-ups.

He has further ordered the abandonment of the ill-placed, insecure, and useless female prison at Montego Bay. The Inspector of Prisons reports that a lock-up at Black River has ample accommodation for 40 or 50 prisoners.

A treadwheel has lately been imported and tried in the penitentiary. It is stated to have a beneficial effect and to be dreaded by the criminals.

2. *Turk's Islands*.—There is only one prison, which has been condemned as a structure, and seems not to be very well managed or inspected. (*See* Schedule of Prisons, p. 51.)

PART I.

Turk's
Islands.British
Guiana.

3. *British Guiana*.—There are in British Guiana, (i.) an important penal settlement, which has too little accommodation, but appears to have been generally well managed since 1863, with the exception of some irregularities mentioned in the Schedule of Prisons (*infra*), (ii.) three gaols in which the discipline is lax, separation at night imperfect, and classification neglected during the day, while one of them (Capoey) is excessively overcrowded, and (iii.) 104 lock-ups. Until lately the great majority of these lock-ups belonged to private persons, who were unwilling to improve them, unless at a disproportionate increase of rent. In 1865, the Combined Court voted \$35,000 for the improvement or purchase of lock-ups, and in May 1866, arrangements had been made by which all but 35 will have become the property of the colony. Some new ones have been made in thickly populated districts, and some old ones have been improved. No detailed information has yet been furnished on this head.

It seems that inquests are not held in the case of prisoners dying at the penal settlement.

There seems to be no regular visitation of the gaols or lock-ups.

A debtor has been confined at Georgetown for almost two years, and another at Berbice for two years and two months.

Flogging is inflicted by sentence of the courts for obeah, aggravated assaults, and larceny of growing provisions, "with the happiest effect."

(*See* further the Schedule of Prisons, p. 51.)

4. *Bahamas*.—The principal prison at Nassau is much too small and sanitarily very defective, but it is shortly to be replaced by a better structure. There are four smaller prisons, of which one (Inagua) is badly ventilated and lighted. In two of these (New Plymouth and Inagua) there is no female attendant provided for the female prisoners. Of the 11 lock-ups no description is given.

Bahamas.

Reports and visitation seem to be neglected, and no mention is made of such an inspector of prisons as is intended by the Imperial Act, 1 & 2 Vict. c. 67. s. 3.

The expenditure and number of inmates of the Bahamas prisons were exceptionally large in 1863-4, from the effects of the American war.

Floggings may be and are (though seldom) inflicted by sentence of the courts of the Bahamas, for a great variety of offences committed out of the gaol, from rape or burglary to throwing down a fence or wall (second conviction), sending threatening letters, "demanding by writing when not entitled," stealing dog, beast, or bird, stealing from employers, &c., and in most cases as many as three public whippings may be inflicted.

5. *Trinidad*.—The prison establishment consists of the Royal Gaol and seven "licensed prisons," of which last no details are given.

Trinidad.

In December 1864 commissioners were appointed to inquire into the state of the Royal Gaol and its outposts, and into the best means of making prison discipline most penal at the least cost. They reported in effect that in the Royal Gaol the means of confinement are very inadequate to the number of prisoners, and that under the present system of employment of convicts it is very difficult to enforce any proper classification; that in the seven licensed or district prisons the means of classifying the prisoners hardly exist, and that in nearly all of them the numbers are so large as to preclude reformatory discipline, and in some degree to endanger health; that the work obtained from the convicts not only is far short of being hard labour, but is much less than is usually obtained from free labourers of the same description working for wages; and that the number of turn-keys is altogether insufficient for the due performance of their duties. They recommended a variety of changes generally calculated to improve the state and discipline of the prisons, but defective in that no provision was proposed to be made for a preliminary period of separation and strictly penal labour. Their strictures are by no means too strong for the actual state of the gaol. (*See* the Schedule, *infra*, p. 52.) Their recommendations have been the subject of separate communications from the Secretary of State to the Governor.

The commissioners and the superintendent of the Royal Gaol concur in desiring that the prison regulations should be revised.*

Within the last five years a debtor has been confined for two years, the legal limit of imprisonment for debt.

* No copy is sent.

PART I.

From one to three public or private whippings may be (but never are) inflicted for a second or subsequent felony.

The gross annual cost per head of all the prisoners (daily average 304) in the gaol and the licensed prisons is stated as follows:—

	£	s.	d.
Clothing	-	0	13 8
Food	-	4	16 4½
Bedding	-	0	6 1¾
Light	-	0	9 9
Fixed salaries	-	5	10 11½
Miscellaneous	-	3	8 7
	£15	5	5¾

The labour of each working prisoner is estimated to be equal to his cost, viz., 1s. a day. The total expenditure for 1864 was 5,575*l.*, the total earnings 4,918*l.*, the net cost (from prisoners not at labour) 657*l.*

Of 1,524 committals in 1864, 783 were of Coolies or Chinese. Their estimated gross cost in prison was 1,086*l.* 18*s.* 0*d.*; their estimated net cost, 165*l.* 6*s.* 0½*d.*

Barbados.

6. Barbados.—The Governor writes that—

“The prison establishments of Barbados are seven in number, five for male prisoners and two for females.

“Of these, the male prison at Glendairy consists of a system of 72 cells, which provide complete separation for that number of prisoners during the hours of rest. The female prison, at the same place, contains 36 separate cells and six associated wards. The convicts, in each of these prisons, are associated during the hours of hard labour.

“In none of the other prisons does the separate system obtain, except in the cases of prisoners sentenced to solitary confinement for breach of prison discipline.

“The crank and treadwheel are never used, the hard labour of the convicts being employed in public works, such as stone breaking, the repair of roads, and excavation for the foundations of the new line of wharves.

“Convicts who have conducted themselves well during the first two months of their imprisonment are removed from the lower or probationary gang B to the good conduct gang A, after which removal each month in which the convict is free from default brings a good-conduct badge, which badges are taken into consideration at the expiration of two-thirds of the convict's sentence, the period at which the Governor is empowered by law to grant a ticket of leave. Breach of prison discipline in the good-conduct gang A is in addition to other punishment attended by the loss of good-conduct badges, and retrogression to the probationary gang.

“The holder of a ticket of leave is bound to report periodically to the magistrate of the parish in which he or she may reside, and the ticket itself is endorsed with a notice that its revocation will ensue on detection of any misconduct.

“The sanitary and domestic arrangements of all these prisons seem to me excellent, and the working of the whole system is under the immediate supervision of the Governor of the island. To him all casualties are reported, all investigations as to breaches of discipline are submitted, and all punishments thereon receive his confirmation and approval before being carried out; he also grants all rewards on report of good conduct, and tickets of leave are issued under his hand.”

It appears from the answers to interrogatories that the new prisons at Glendairy are secure, well constructed, and liberally managed, but their penal efficiency is much impaired by the length of the hours of sleep and the want of strictly penal labour. (See Schedule, *infra*. p. 52.)

The Town Hall Prison and the House of Detention and Correction for females are (according to the answers) much less satisfactory, being excessively overcrowded and sanitarily defective, besides that they are lax in discipline.

Houses of Correction C and D are similarly defective.

The Juvenile Asylum, excellent in its idea, cannot but be affected in its results by the total want of separation. Too much time is given to religious, too little to secular, instruction.

A system of tickets of leave is in successful operation in Barbados. Of 144 prisoners so released conditionally in five years only 11 are known to have been reconvicted.

It seems doubtful whether the district prisons are regularly enough visited.

The cost is not given in the answers for any of the prisons, on the ground that only the collective cost is known, but neither is the collective cost given.

It would probably be advantageous to abolish the district prisons C and D, and to enlarge Glendairy so far as to enable it to accommodate all hard-labour prisoners.

Flogging may be, but seldom is, inflicted for crimes committed outside the gaol. The crimes to which it is applicable are too indiscriminate.

7. *St. Vincent*.—There is one prison, which serves also as a lunatic asylum. It is penally inefficient and does not provide for separation, or even for classification, except of the sexes. It is well visited. PART I.
St. Vincent.

The provost marshal's powers of punishment are too large. He can give a month's solitary confinement for prison offences without making any report.

Crime is on the increase in *St. Vincent*.

A debtor has been confined within the last five years for 15 months and 19 days.

Flogging is occasionally inflicted for larcenies committed outside the gaol with (it is said) deterrent effect.

8. *Grenada*.—In May 1865 the administrator of the Government reported of the common gaol, from his own inspection, that "the walls are in several places actually crumbling away, and the iron gratings of the windows are so corroded that the pieces of the bars may be removed by the fingers, and the iron bars, originally about $1\frac{1}{4}$ inch square, are in many instances reduced in the upper and lower cells to the size of an ordinary pencil. The wards are ill arranged and much overcrowded. . . . The classification directed by the prison regulations cannot be carried out. No attempt can be made to introduce the separate system. There is no chapel, service being performed in one of the wards. No instruction, not even by means of a Sunday school, is afforded to the prisoners. There is a total absence of anything like suitable hospital accommodation for sick prisoners. It is perhaps superfluous to add that in the present condition of the gaol it is impossible to maintain that discipline to which it is so important that criminals should be subjected, and that the gaol is in no way fitted to work the reformation of the criminal, or in any manner to deter or punish him." In June 1865, the administrator appointed Commissioners to report on the gaol and the police lock-ups. The Commissioners reported in effect that proper discipline and classification are impracticable in the present prison, that imprisonment in the present condition and discipline of the gaol neither reforms criminals nor deters from crime, and that a new gaol, with provision for separation, is necessary, and can be built for about 1,800*l*.

The Legislature, upon this report being brought before them by the administrator, resolved that the new prison should be built, and that 2,400*l*. should be provided for the purpose. The Legislature and the Commissioners concur in rejecting that change of site, which the administrator had recommended on the strong grounds, that the present site is overlooked from the neighbouring houses, is inconvenient, and in its present use a nuisance to the town. (And see Schedule, *infra*. p. 53.)

Grave defects and irregularities in the district lock-ups are detailed in the Schedule.

Within the last five years a debtor has been detained at the gaol for 16 months. The administrator observes that "there is no law in this colony for the relief of insolvent debtors whose debts may exceed 20*l*. An insolvent arrested for a sum exceeding that amount may, at the will or caprice of any one execution creditor, be kept confined for life." And these debtors appear to be associated in the gaol with criminals of all kinds.

Flogging may be (but is not in practice) inflicted for a great variety of offences committed out of the gaol, from the worst crimes against the person to petty offences against property. Flogging may be, but is not, inflicted for gaol offences.

Notwithstanding the defects of the prisons, convictions decreased from 255 in 1863 to 220 in 1864.

9. *Tobago*.—The single prison seems not to be in a state of efficiency. (See *Tobago*. Schedule, *infra*. p. 53.)

10. *St. Lucia*.—The gaol at Castries is both sanitarily and penally defective. Its principal faults, with the important suggestions of the provost marshal, appear in the Schedule (*infra*. p. 53).

The 18th of the answers to interrogatories states that "there are at present five prisoners for debt. During the last five years one man remained a prisoner for debt for two years and seven months; his debt was only 12*l*. 6*s*. 8*d*.; he was put into gaol from vindictive motives, and was only released at last from inability on the part of the creditor to furnish the subsistence money."

11. *Antigua*.—The gaol was the subject of a report by a gaol commission in 1863. Since the time of that commission there has been much improvement, and the Governor, provost marshal, inspector of prisons, chaplain, surgeon, and grand juries concur in the opinion that the management is now as good as it can be with the present accommodation. The dietary is carefully framed and graduated. The health of the prisoners

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appears to be good. Still there are many defects, sanitary and disciplinary, of the graves kind; the reconstructions are high, and there is a general consent that the present system has no terrors.

The provost marshal thinks the true remedy is to be found in separation; the Governor hopes more from strictly penal labour.

It is agreed that a reformatory for juveniles is very desirable.

Flogging may be, but is not in practice, inflicted in Antigua for offences committed out of the prison. Flogging is in use within the prison for gaol offences, with (it is said) very salutary effects.

St. Kitt's.

12. *St. Kitt's*.—The gaol at Basseterre is unhealthy and its discipline is not well maintained.

In January 1865, the inspector of prisons reported that the prisoners' work on streets and highways was not, in his opinion, really hard labour, that the overseers were not vigilant enough, and that some specific rule defining what hard labour ought to be for prisoners working without the walls of the gaol seemed to be requisite, together with such written directions as should not leave the labour of the convicts in the streets and highways to be done in an undisciplined and unregulated manner.

With reference to this report the administrator states (May 1, 1865) that since the discovery of want of system in the employment of prisoners he has required weekly returns of such employment, and that the convicts are now worked in a manner less lax and irregular. He further states with regard to the nature of the labour, that in the opinion of the board of visiting justices the labour on roads and public works is a deterrent as hard labour within the prison would be without separation and silence; but that in the opinion of the inspector of prisons such labour is altogether ineffectual and objectionable. He adds (May 11, 1865) that separation and a really penal system are impracticable without a better building and a larger staff; that if the existing system is to be changed the present provost marshal (who is very old) must surrender his supervision of the prison to a competent officer; and that in any case it is desirable that subordinate officers should be paid directly from the public treasury, even if they should continue to be appointed by the provost marshal. Finally, the administrator points out that a clause in the Act No. 100 of 1852, imposing as a penalty on prisoners escaping, the addition of twice their original term of imprisonment and labour, may give very unequal punishment for the same offence in the case of persons whose original sentences may have been unequal. Nor is the punishment in his opinion sufficiently prompt, nor so effectual as a sharper punishment summarily inflicted. It would seem that the ordinance is right in the principle that where the temptation is greater (as in the case of the longer sentence), it must be balanced by a greater penalty; but that a more summary kind of punishment might be even more effective.

Nevis.

13. *Nevis*.—The prisoners in the gaol are generally separated at night, but labour appears not to be rigorously enforced.

The President doubts the expediency of tickets of leave in Nevis. He thinks a reformatory for juveniles very desirable.

Virgin Islands.

14. *Virgin Islands*.—The one small prison serves also as a lunatic asylum. Its defect is laxity of discipline.

There are few serious cases, and professional criminals generally remove to St. Thomas finding here no field for their exertions. The few incorrigible offenders might with advantage be treated generally in a manner which has proved effective in one case. "In lieu of shot drill a punishment was devised last year for a prisoner who had been frequently convicted, was often turbulent in prison, and had proved incorrigible by solitary confinement or flogging. He was confined within the gaol walls and made to pick up a large stone, carry it to the other end of the yard, put it down, pick it up and carry it back again. The stone weighed 70 lbs. This discipline was effective and the man has never since been accused. He is now earning his livelihood as a porter at St. Thomas." But the weight of the stone should be reduced two-thirds.

The General Court may sentence boys to be flogged instead of to imprisonment, or adults convicted for a third or subsequent offence to be flogged as well as imprisoned, or for offences committed out of the gaol. No such sentence has been pronounced.

The President thinks that the gaol rules require revision, that many of the indulgences allowed therein as to visiting should be curtailed, and more summary powers given to the provost-marshal for the confinement of refractory prisoners until their case can be dealt with by the visiting justices. The power of the visiting justices to inflict corporal

punishment (supplementary rules) should be defined and limited, distinguishing the cat to be used for adult males from the rod for boys.

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The debtors' allowance of 6*d.* per day should be increased.

15. *Dominica*.—The gaol at Roseau is in accommodation, sanitary provisions, and penal discipline very defective. On the other hand it is well kept, and the prisoners are said to be healthy. Dominica.

"The labour performed within the gaol by males consists in cleaning the premises, drawing water, and breaking stones for road making. That performed by females is in cleaning the premises occupied by them, washing, making and mending the prisoners' clothes, and in carrying shot from one spot to another. The prisoners outside the gaol are employed in cleaning and keeping in order the Government House grounds and premises, digging graves for paupers, attending as labourers at public works, &c., and at any labour decided upon by the authorities." That this labour is wholly inefficient, and is in fact no punishment, is agreed by the provost marshal, the physician, the late administrator, and the present lieutenant-governor, and is proved by the large proportion of reconvictions, which are more than three-fourths of the whole committals. Further, the employment in the streets gives occasion for frequent communication with friends. To prevent this the lieutenant-governor has lately given directions to employ the gangs generally only at a distance from the town, as well as to report on the amount of work done, and its proportion to that done by hired free labour.

The prisoners (the lieutenant-governor says) naturally prefer labour outside the prison to working inside, and the substitution of shorter terms of solitary imprisonment with bread and water for longer terms of nominal hard labour is very desirable. "Solitary confinement on bread and water is the only punishment which prisoners really fear. In the course of many years' experience as a magistrate in the Falkland Islands (where the law authorized a justice of the peace to order solitary imprisonment for a period not exceeding 14 days) I invariably found this punishment the most deterrent."

The lieutenant-governor further intends recommending a system of tickets of leave together with an improved scale of sentences. At present the longest sentence known to the law of Dominica is four years.

The board of superintendence is bound to visit and inspect minutely every month, and to report their opinions to the lieutenant-governor; in fact they have not performed this duty with regularity. In October 1865 they had not met for three months, and even then it was necessary for the provost marshal to invoke the lieutenant-governor's intervention to procure a meeting. Yet the chairman of the board is the chief justice of the colony, and the senior crown law officer is another member, and three are a quorum. The consequences of the neglect in the last instance were (it is said):—1. That prison offences could not be punished for three months; 2. That the provost marshal was obliged to clothe the prisoners on his own credit; and 3. That the prisoners had to be detained for a week continually within the walls of the prison for want of clothes. It would seem that the board should be enlarged if it is to retain its present powers.

The inspector of prisons (appointed under the Imperial Act 1 & 2 Vict. c. 67.) visits only once a year.

Magistrates not on the board of superintendence scarcely ever visit. Previous Governors have very seldom visited. No visits are by surprise.

There is a class of prisoners called "road defaulters," the nature of whose offence is not explained, but who are treated as debtors. The daily sum (6*d.*) payable by creditors for the maintenance of debtors appears to be too small.

16. *Mauritius*.—There is proper accommodation, so far as space is concerned, for about 1,250 prisoners in the nine prisons of Mauritius. The actual average numbers in them (2,450) have been almost double, and the highest numbers (3,589) nearly three times that amount, and the disproportion is much greater in some of the prisons. The great bulk of the prisoners are Indian immigrants committed for breach of contract, breach of police rules, and "vagrancy," while probably not more than a fifth of the average numbers is made up of worse criminals, white or coloured; but there is no exact general information on this point. They are distributed (apparently) as follows:—In Port Louis all classes, male and female, including felons; in the six district prisons all classes of males except felons; in the mixed district prison at Powder Mills all classes, male and female, except felons; at the vagrant dépôt vagrants only. Mauritius.

The vagrant dépôt (newly established) is under the control of the Government, exercised through the Inspector General of Police, the other prisons under that of local prison committees, partly *ex officio*, partly nominated by the governor. The vagrant dépôt is

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very well managed by the Inspector General of Police, the Port Louis prison is very well managed by the Inspector of Prisons and by the Procureur Général, who is chairman of the Port Louis Prison Committee, and who is allowed by his committee to take on himself a great part of the management; the other prisons are not so well managed by the local prison committees.

The general state of the prisons is this:—Port Louis is not very secure; the others (except the new vagrant dépôt) have no pretensions to security, and retain their prisoners not by strength but by what is to their prisoners' comfort. Sanitarily they are all defective, some to an astonishing degree. Separation and strictly penal labour are unknown. Reformation is hardly and in few cases attempted. Labour is light, diet high, sleep long. The warders are too few and not always trustworthy. Inspection is generally rare and inefficient.

Inhumanity
and inefficiency
of the
system in
some prisons
in Mauritius.

Some of the district prisons require more particular notice; and first as regards their size. The total contents of all the four wards in the prison at Grandport, taken together (exclusive of a solitary cell), are less than 28,000 cubic feet, the total area is 1,810 square feet. The smallest number of prisoners confined in them at any one time during the last five years has been 69, the largest 531, the average 195. There is therefore provided for the average number of prisoners less than $9\frac{1}{2}$ superficial and not quite 140 cubic feet per head, but for the greatest number less than $3\frac{1}{2}$ superficial and less than 53 cubic feet per head; and in this space they are locked up for at least 11 hours.

The total accommodation at Flacq (exclusive of two solitary cells) is 1,440 superficial and about 25,000 cubic feet. The smallest number of prisoners at one time has been 48, the greatest 379, the average 212. For the average number therefore there is provided less than 7 superficial and less than 118 cubic feet; but for the greatest number less than 4 superficial and less than 66 cubic feet, during 11 hours of sleep.

The total sleeping accommodation at Rivière du Rempart (exclusive of two solitary cells, but inclusive of the separate "provisional prison" at Poudre d'Or) is within 1,250 superficial and 13,500 cubic feet. The smallest number of prisoners at one time has been 49, the average 96, the greatest 135; so that on the average each has about 13 superficial and about 140 cubic feet, but at the fullest only about $9\frac{1}{4}$ superficial and 100 cubic feet during eight hours of sleep.

The figures of which this is the substance are given with great candour and circumstantiality, and there appears to be no room for doubt.*

Men lying on the floor, packed closely head and feet alternately, like wedges or fishes, take up from four square feet each if they are small and lie on their sides, to eight if they are full-sized and lie on their backs. At Grandport and Flacq less space than the latter of these amounts is given at times, and on an average at Grandport little more, at Flacq less, than the larger amount.

The Black Hole of Calcutta, according to Mr. Holwell's account (Annual Register, Vol. I.) was a cube of 18 feet.† The number of its victims was 146. Each therefore had 2.219 superficial and 40 cubic feet. The prisoners at Grandport, when most crowded, have had only a third more area and about a half more space. Further, the Calcutta prison had two small open windows into the outer air; but in the Mauritius prisons it seems (p. 17, *infra*.) that the windows are closed at night, and that the only ventilation is by small apertures over the door, opening apparently into the entrance passage.

The prisoners in these places are not all Indians, none are felons, some are boys. All are together, Indian vagrants, white misdemeanants, juveniles, and adults, huddled in heaps without space to lie straight, with scanty ventilation, in a hot climate. In one

* *e. g.* Grandport.—Answer 2. "The prison of Grandport was intended for 100 prisoners. The average during the last five years was 195. The greatest number at one time was 531. The smallest number at one time was 69. There are three district stations for prisoners—1st at Ferney, 2nd at Anse Jonchée, 3rd at Cluny."

In Answer 6. "The prison buildings consist of an oblong stone structure. Inside measurement, 55 feet long, 31 feet wide, 11 feet 5 inches high. The building is not ceiled, and the roof 11 feet 6 inches high. The building is divided into four general wards and one solitary cell."

In Answer 9. "All the wards are 11 feet 5 inches high, plus the roof 11 feet 6 inches. They are all the same width, viz., 15 feet 6 inches, and their length respectively, No. 1, 18 feet; No. 2, 37 feet; No. 3, 24 feet 8 inches; No. 4, 37 feet. The gross contents of all these wards in cubic feet is about 27,300, thus allowing 273 cubic feet per head, the building being calculated to hold 100 prisoners."

Flacq.—Answer 2. "Average number, 212; smallest do., 48; greatest do., 379, during the last five years."

In Answer 9. "1st ward is 28 feet long, 15 feet broad, 12 feet high on one side and 24 feet on the other; the contents in cubic feet being about 7,200. 2nd ward, do. 3rd ward is 21 feet long, 15 feet broad, 12 feet high on one side and 24 feet on the other; the contents being about 5,670 cubic feet. 4th ward is 19 feet long, 15 feet broad, 12 feet high on one side and 24 on the other; the contents being about 4,770 cubic feet. The wards are general; there are no intervals between the beds; in each ward there is but one bed, extending from one end to the other."

† According to Lord Macaulay, it was 20 feet square.

corner of the ward stands a tub for natural purposes of both kinds, in another a second tub with drinking water; and there is no light to prevent confusion between the two, or to show the way to them over the mass of bodies, or to be a check on immorality. The single night warder may sleep if he chooses, and has no means of overlooking the prisoners, for their doors are locked and he has no key.

The death rates in two of the three prisons mentioned are such as might be expected. At Flacq 14·3, at Grandport 16·8, (at Rivière du Rempart the deaths are stated at only 17 in five years,) and this, notwithstanding that the terms of imprisonment are generally very short, from a few days to a few weeks. The other district prisons are less glaringly insufficient, and their death rates are proportionably lower, though still very high, except in one case.

But for the shortness of the terms, and but for the days spent in out-door labour, the high diets and crowded nights would speedily exterminate the race of vagrants and criminals in Mauritius.

The general state of the district prisons in other respects will best appear from the following answer of the senior district magistrate of Pamplemousses in reference to the prison of his district:—

“There are many defects in each of these particulars. In point of structure the criminal part of the prison is merely an assemblage of lock-ups, to lodge offenders in at night; there they are locked up from six o'clock in the evening till five or half-past five in the morning, fifty, sixty, and as many as a hundred together, old men, young men, and boys pell mell, and without a single prison officer to keep order among them. The only officer whose duty it is to be awake during these hours is the watchman on the beat, who wakes or sleeps as he feels inclined, who has no access to the prisoners, and cannot see into the wards. Not only is the door of the ward locked, but the window (if there be one) is also closed, and the only means of ventilation left free are the three or four holes in the walls.

“There being no latrines or urinals attached to the wards, a tub is placed in a corner of the room to answer the same purpose. A similar tub of drinking water occupies another corner.

“The sub-officers within the prison walls at night, to control the three hundred and odd prisoners it contains, are the keeper, the matron his wife, the assistant keeper, the hospital steward, and two watchmen.

“In the daytime, if hygienic laws be not violated, the rules and principles of prison discipline are—

“By the prison regulations every sentence, unless special exception be made in it, carries labour with it. And, as the Public Works Department, as a rule, takes all the condemned prisoners to work upon the roads or at other works, every denomination of prisoners is subjected to the same regimen. The felon whose sentence is hard or penal labour, the unfortunate tradesman who cannot pay his fine, imposed for inobservation of some trivial regulation or byelaw, and the immigrant labourer who has failed to fulfil the condition of a purely civil contract.

“At out-door labour these prisoners are, practically at least, out of the control of the prison authorities, the Committee. They are accompanied, it is true, by their prison guards, but are under the directions of officers of the Public Works Department, who have the same powers as the prison guards, but are not responsible for the maintenance of discipline, and have no orders to receive from the Prison Committee.

“The Committee have nothing to do with the kind of works the prisoners are put to or the amount of work they perform. There is consequently no recognized task work, no scale or measure of labour to be enforced, no method of exacting work; but the prisoners are allowed to work just as they please, and are under less restraint and compulsion than the free labourer or mechanic, who perhaps works along with them, and who has his master over him, who *will* have his money's worth of work. All the Prison Committee can do is to punish for absolute refusal to work when reported to them! And how punish? By solitary confinement for six days, or fifteen for a second offence. That is scarcely a punishment for coolies and negroes, (who form the bulk of the prisoners,) for whom to do nothing appears to be the *summum bonum*, and who seem to be able to doze through twenty out of the twenty-four hours. Besides, I very much doubt whether the cells, opening as they do upon the yard, where prisoners are always going and coming under an insufficient surveillance, and where the whole batch assembles twice a day, the punishment is not in a great measure eluded. The prisoners being employed on the make-themselves-generally-useful principle, and being put to different works at different places, gang by gang, each with its two, three, or more guards, not only is a uniform method of management and treatment out of the question, but no effective supervision can be exercised over the guards themselves, to ensure the enforcement of any degree of discipline. The guards consequently have things all their own way. It is a notorious fact that prisoners at out-door labour can obtain and do obtain all kinds of forbidden luxuries. The guards doubtless connive at the practice and probably make a good thing by it. The intermixture of the prisoners with other labourers at the works, affording as it does means of communication between the prisoners and their friends, conduces in a great measure to the state of things.

“Nothing will show better the relation subsisting between guards and prisoners, and the sort of discipline the prisoners are under, than the answer given by a guard (reported to me by a late member of the Prison Committee) when asked why he did not ‘make those lazy fellows work?’—the question is as graphic as the answer,—‘Sir, sir, if we are hard with them they will run away to get us punished. They tell us so.’ The fact is, they are prisoners only in the name. They know that if they want a holiday or a spree outside, they can take it when they like, on condition of paying for it when they

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come back (if they do come back) by 15 days rest in a cell!—corporal punishment, the only other mode of punishment in use, is only incurred when aggravating circumstances attend the escape.

"I do not think that the prisons of the colony can ever be on a proper footing so long as the same prison is used for criminals and for vagrants. Under the denomination of vagrants are comprised not only rogues and vagabonds, but also the numberless Indian immigrant labourers, under sentences chiefly of from one week's to one month's imprisonment, for breach of contract of service, or non-compliance with the immigration regulations, who require a peculiar mode of treatment, and for whom such expensive establishments as regular and well-ordered gaols are not necessary, and in fact cannot be afforded by the colony. The using of the gaols, particularly with their limited accommodations, for this twofold purpose results in a make-shift mode of treatment of all the prisoners, as little adapted to the vagabonds as it is to the criminals. His Excellency the present governor has lately instituted near Port Louis a special prison, or rather dépôt, for vagrants, where they are under a mode of treatment suited to them, and whither vagrants are, from time to time, transferred from this and other district prisons. If all vagrants could be sent to similar institutions great good would undoubtedly be the result."

Such an account, but for the coherence and consistency of its various parts, might seem fictitious.

It is much insisted on that these prisons are in no way deterrent. The labour is lighter and the diet higher than those of the ordinary agricultural labourer, the discipline is lax, and the crowding at night seems to have no terrors. Comparatively few have the spirit or the wish to avail themselves of the constant opportunities of running away.

Some attempts at reformation by means of good-conduct badges are said to be made, but no particulars are given. Well-conducted prisoners may be and are selected to be "under-overseers" of working parties.

To sum up the principal faults and wants of the prison system of Mauritius, it may be said to be agreed on all hands that the essential and radical fault is, that mere vagrants, in enormous numbers, are crowded into the common prisons, swamping the discipline. The next greatest fault is, that the prison life is too easy in comparison with life on the plantations. A third radical evil (but not in universal estimation) is the government of district prisons by local committees not subject to any central control.

More and better prison accommodation is (as the Governor says) the most urgent of all the crying wants of the colony. More particularly, the prisons should be relieved by the establishment of more vagrant dépôts, and should be divided into cells for those prisoners who may remain. The vagrant dépôts should have plantations attached to them in which the vagrants might be taught to labour. A central prison and one or more juvenile reformatories should be established. Everywhere the labour should be increased, the diet reduced, and in the criminal prisons a preliminary penal stage, followed by stages of severity graduated according to good conduct, should be introduced, and completed by industrial training and tickets-of-leave. There should be more and better officers, better paid. Finally, government inspectors, with large powers, should be appointed. With regard to this last point, it would seem that the more the power given to the present Procureur Général over all the prisons the better will be their state.

That something has already been done, and that there is a constant desire to do more for the improvement of the prisons, will best appear from the Governor's despatch:—

"With a revenue burdened by the temporary pressure consequent upon the construction of the railways, and as yet but very partially relieved by any profits resulting from that undertaking, it would not have been easy to find means for adapting the existing prison accommodation to the requirements of a sound penal system, even if the class from which the gaols are mainly filled had received no accession from abroad; and in the face of the yearly increase which an extensive immigration from India must necessarily produce in the number of criminals and vagrants, it would be impossible at once to incur the outlay required for the various improvements which are admitted to be called for, without altogether setting aside considerations of paramount importance in a financial point of view.

"Speaking of matters as they are, I may say that after a personal inspection of every gaol in the island, I consider the prison system at present in force to work on the whole as well as existing appliances will admit of, especially in Port Louis, where the Prison Committee have the great advantage of being assisted by so experienced and able a chairman as the Procureur Général; in the districts the results vary according to the fitness of the district magistrate to discharge the duties of chairman of the committee, in addition to others which engross much of his time; and, where he is unequal to the task, the system more or less fails in securing the necessary inspection and maintenance of discipline, the gaolers and prison guards, as a rule, not being worthy of much trust.

"The recent opening of a vagrant dépôt at Grand River has given much relief to the overcrowded prisons, and has in many other respects been productive of great improvement; but to obtain the full benefit which might be derived from treating the vagrants as a separate class of offenders, it would be necessary to open one or two more dépôts in the country districts.

"A further step of great importance is being made in the establishment of the penitentiary alluded to in the minutes which formed the 8th enclosure of my despatch, No. 301 of 1864; not much progress, however, can be made with this building until the Surveyor General's department has been put upon a

revised footing, as authorized by your despatch, No. 467 of 11th last. In the meantime I should be glad to be furnished, if possible, with a good design for an establishment of such a sort suited to a tropical climate, and calculated to contain 300 inmates, with capabilities of being extended so as to hold 500.

"I have it in contemplation also to establish, with as little delay as possible, a juvenile reformatory, and I have already sanctioned by way of experiment the congregation of juvenile offenders at the vagrant dépôt, and at Powder Mills prison, under arrangements which provide for the instruction of the delinquents so long as they are under custody. A similar experiment has, as will be seen by the answers to the interrogatories, been initiated by the Prison Committee of Port Louis.

"To complete the reforms desired, and to put the prison system of the colony upon a really unexceptionable footing, it will perhaps be necessary to abandon altogether the present civil prisons, and to construct in their stead a larger building in a less objectionable situation; but this is a measure which would involve too serious an immediate outlay to admit of its being attempted under existing circumstances."

With regard to the Ordinance (No. 31 of 1858) under which the prisons are managed, it should be observed that, according to the answers, s. 38, by which "every convicted prisoner, unless expressly relieved from labour by his sentence, shall labour at such work as may be established by the prison regulations or may be authorized by the governor," reverses the proper order of things, and results in an undistinguished association of prisoners of all degrees of strength and criminality, and that ss. 40-43 in effect withdraw prisoners from the operation of prison discipline during out-door labour and place them under the necessarily imperfect control of the Public Works Department.

The authorities answering the interrogatories appear generally to think that flogging for gaol offences is desirable and deterrent. But they add that there is in Mauritius a strong feeling against flogging as well as against capital punishment.

At Powder Mills an interval of from one week to eight weeks is suffered to elapse between sentence and infliction of flogging. At Port Louis there is a very questionable system of executing sentences to more than 15 lashes at twice. It is said that Indians in that climate cannot well endure more than 15 lashes at one time. But if so, then it would seem that the 15 lashes inflicted on an Indian there are as severe and as sufficient a punishment as a greater number to an European elsewhere, just as a lesser punishment is sufficient to meet the case of a given crime in a child than in a man.

No estimate is given either of the total cost of the prisons of Mauritius or of the cost of treatment of those prisoners who have been imported as labourers from India. The latter amount would doubtless be a very large proportion of the whole, and is continually increasing.

The truth appears to be, that while the importation of Asiatic immigrants has been rapidly expanded of late years, care has not been taken to secure a corresponding expansion or improvement of the provisions for their treatment. While the large profits of importation have been received and consumed the attendant duties have been neglected.

The following statistics of Port Louis prison and of serious crimes in Mauritius generally are condensed from returns furnished by the Procureur Général.

STATISTICS OF PORT LOUIS.

Decrease	3,755	—	—	5,255	—
From 1863 to 1864	Committals.	Drunkards and disorderly, &c.	Criminals.	Vagrants.	Gaol punishments.
Increase	—	1,248	86	—	1,944
	a.	b.	c.	d.	e.

a. Accounted for by d.

b. Unaccountable.

c. From larcenies, which are steadily increasing (reaching a total of 1,498 in one court in 1864) Increase attributed to mild discipline. Many are boys who for want of a reformatory return again and again to crime after their short imprisonments. There is, in fact, in Port Louis a standing average of 15 juvenile thieves perpetually kept up from one roster of habitual offenders who finally pass up by seniority into a similar floating average of adult thieves.

d. Decrease accounted for by removal of vagrants to the new vagrant dépôt.

e. Increase accounted for by a new rule empowering the chief officer to punish summarily slight offences which formerly escaped punishment under a more cumbrous procedure.

PART I.

STATISTICS OF SERIOUS CRIMES TRIED IN 1864 BEFORE THE SUPREME COURT IN MAURITIUS.
There has been a progressive increase in serious crimes, especially in larceny with violence.

Decrease -	—	—	6	—
From 1863 to 1864	Crimes tried.	Larceny with violence.	Murder, &c.	Arson.
Increase -	8	6	—	1
	<i>a.</i>	<i>b.</i>	<i>c.</i>	<i>d.</i>

a. Crimes tried as distinguished from crimes committed.

b. Committed almost exclusively by Madras Indians.

c. Feared to be only an accidental decrease.

d. Chiefly by Indians for revenge. Also fires really accidental are often charged upon innocent persons by revenge. Juries are consequently suspicious and arson is often not brought into court.

In the five years ending with 1863 there were 157 murders, of which more than half originated in jealousy. Of 225 persons suspected of them only seven were hanged, and 143 were acquitted. The most remarkable feature of crime in Mauritius is the tendency, thought to be derived from Indian dacoitee, to combination amongst criminals. To every crime tried in the years before 1863, there were less than two criminals, but in 1863, 3·109; in 1864, 2·722; and in larcenies with violence, in 1860-2, about 4·5; in 1863, 6·05; in 1864, 5·708.

Most of the more serious crimes are committed both upon and by Indian immigrants, and commonly arise out of quarrels about women.

SUMMARY OF CRIMES PROSECUTED BEFORE THE SUPREME COURT FROM 1861 TO 1865 INCLUSIVE.

Crimes.	1861.	1862.	1863	1864.	1865.
Murder, attempt to murder, and manslaughter -	13	16	14	11	16
Other serious crimes against the person -	11	9	17	15	13
Number of persons prosecuted - - -	32	31	72	34	56
Burglary and larceny with violence - -	7	5	18	24	10
Other serious crimes against property - -	12	11	15	22	27
Number of persons prosecuted - - -	42	37	127	162	79
Total of serious crimes - - -	43	41	64	72	66
Total of persons prosecuted - - -	74	68	199	196	135

The Report on Crimes by the Procureur Général (for 1865) is appended (Appendix K.)

COMPARATIVE TABLE I.—WEST INDIAN DEPARTMENT (WITH MAURITIUS).

Name of Colony and of Prison.	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space per head in cells.	No. of officers, male and female.	Hours of labour.	Kind of labour.	Diet equivalents, farm produce or articles added to total for males at "hard labour."	Hours of sleep.	Known committals per cent. on the total committals.	Annual deaths per cent. (a) on the total committals, or (b) on the daily average.
JAMAICA:											
*General Penitentiary	309-629	14,664 15 10 in 1864	£ 7,160 1 11 in 1864.	306-385, but in wards only 200 average.	M. F. 64. 4	—	Quarrying, streets, &c., and industrial.	187. 14. 201	About 11	24 % of a in 1864.	26.25 % of 1,000 on b.
*Surrey County Gaol	18-43	1,169 4 6 in 1864	—	882	7. 2	—	None	173. 14. 187	12	—	2 in 5 years.
*Middlesex County Gaol	23-37	847 7 2½ in 1864	—	—	6. 1	—	—	—	12	83.25 % on a (?)	—
*Cornwall County Gaol	189-426 cases a year	637 6 2 in 1864	—	—	5. 1	9-10	Stones, water carrying	149. 14. 163	12	—	3 in 5 years.
Morant Bay District Prison	11-37	610 19 8 in 1864	—	155½-232½ in wards	4. 1	10	Stones and roads	150. 28. 178	About 13	25 % of a (?)	3 in 5 years.
Montego Bay (females)	10-23	431 18 11	—	176 in cells 536 in wards	1. 2	9-10	Quarrying stones (qu. carrying).	—	11	—	—
*Falmouth	26-202	2,532 11 2 in 1864	—	168 in cells 384 in wards	9. 1	9	Roads, stones	163. 34. 201	11-12	40 % of a	"About ½ %."
*Hanover	26-64	604 6 10 in 1864	—	300-480	4. 1	9-10 (?)	Roads, stones	—	About 11	49 % of a	—
*St. Catherine's	22-142	1,536 0 0 in 1864	—	243-413 in wards	10. 1	9-10 (?)	Roads, stones	—	11	23 % of a	7 in 5 years.
*Rodney Hall	15-82	1,053 0 0 in 1864	—	184½-800 in wards	4. 1	10 (?)	Roads	163. 28. 191	About 11	23.3 % of a	5 in 5 years.
*Mandeville	Sometimes over 100	905 16 1 in 1864	—	223½-5) in wards	5. 1	9	Roads and stones	146. 28. 174	12	10 % of a	15 in 3 years on 1,381 cases.
*Port Maria	No information.	2,030 3 11 in 1864	No further information.								
Juvenile Reformatory	No information.										
Lockups -											
TURK'S ISLANDS	6-22	359 13 6½ in 1864	—	About 171 in wards	2. 0	10	Roads, stones, &c.	128. 48. 188	12	66 % of a	3 in 5 years.
BRITISH GUIANA:											
Penal Settlement	138-199	5,892 19 2	—	405-463	21. 0	9	Quarrying, &c., and industrial.	161. 42. 203	11	23 % of a in 1865.	7 in 5 years.
Georgetown Gaol	218-463	7,205 16 0	—	276-809	15. 2	9	Public works, stones	161. 42. 203	—	1,174 in 5 years	80 in 5 years.
Berbice Gaol	26-88	About 300	—	360	3. 1	10	Streets, &c.	161. 42. 203	About 11	—	6 in 5 years.
Capoey Gaol	497 committals in 1865	About 1,000.	—	309	4. 1	—	Agricultural	161. 42. 203	12	—	8 in 5 years.
104 Lockups	No detailed information.										
BAHAMAS:											
Nassau Prison	60-124	1,203 2 9	—	139 in wards	3. 1	8½	Stones, streets, &c.	—	11½-12	54 % of a	10 in 5 years.
New Plymouth	—	—	—	612-747	1. 0	10	Filling a swamp.	—	—	34 % of a	—
Haslar Island	339 cases in 5 years	—	—	805-1,035	—	—	Roads, &c.	—	—	—	—
Long Cay	No detailed information.	—	—	—	—	—	—	—	—	—	—
Inagua	11 cases in 1864	—	—	About 1,000	1. 0	10	Roads	—	—	1 in 11	—
11 Lockups	No information.										
TRINIDAD:											
Royal Gaol	214-337	5,575 0 0 in 1864	657½	336-360	9. 2	9½	Public works, roads, &c.	150. 28. 178	10½-11½	34½ of a	13½ % on b, or about 1 % on a.
7 Licensed Prisons	No detailed information.										
BARBADOS:											
Glendairy	—	—	—	715	7. 4	9	Stones, &c.	156. 14. 170	11	55 % of a	1.025 % of a, 4 in 5 years out of 303.
Town Hall	58-284	—	—	130-500 in wards	4. 0	8	Roads, stones, &c.	140. 14. 154	11½	44 % of a	9.20 % of b, 37 in 5 years out of 8,000.

NOTE.

The comparative tables for the West Indian and the other departments will be made more intelligible by reference to the following standards :—

PART I.

Explanation of tables.

i. SUMMARY OF CRIMINAL STATISTICS OF ENGLAND AND WALES FOR 1865.

	Gaols.	Convict Prisons.	Reformatories	Totals.	Proportions.
Commitments	137,421	6,139	1,185	144,745	1 in 151 of estimated population.
Re-committals	43,964	3,500 (?)	600	48,000	{ 1 of every 3 committed, or 33½ per cent. of the commitments.
Daily average	18,161	7,184	3,300 (?)	28,645	
Infirmary cases	4,602	5,278	—	10,000 (?)	
Deaths	240	127	19	386	{ 1.35 per cent. on the daily average.
Gross ordinary cost per head	£24 3 3	£32 16 4	£15 12 0 (?)		

There are about 22,000 cells for separate confinement in England and Wales.

(Column d.) ii. *Cubic space*.—The amount of cubic space per head should certainly not be less than 600 feet in dormitories, 800 in separate cells. More than 800 ($13 \times 7 \times 9 = 819$) is thought necessary for separate cells, with good ventilation, in this country. In the state of New York, 996 in the clear is required by law. With reference to a tropical climate, a distinguished committee, appointed to report on prisons in British India, reported, in 1864, that in dormitories (general or associated wards) 54 superficial and 650 cubic feet (besides an open roof), in separate cells 100 superficial and 1,200 cubic feet, were necessary.

(Column e.) iii. *Number of Officers*.—There should be three “discipline officers” and one service officer (such as gatekeeper, cook, clerk, &c.) to every 40 prisoners, under the separate system; and more discipline officers are required where the prisoners are in association, if communications are to be prevented. Also the proportion of officers should be somewhat higher where the number of prisoners is small.

(Column f.) iv. *Hours of Labour*.—The minimum by law in this country is six, the maximum ten, for really hard penal labour, exclusive of meal times. Where the labour is light and cheerful, as in most kinds of out-door labour, the minimum should be ten, if the climate will permit. At Auburn in the state of New York the hours of actual labour (industrial, indoors) vary from 9 to $11\frac{1}{2}$, according to the season.

(Column h.) v. *Diet*.—In calculating the values of diets in the colonial prisons, the following equivalents have been adopted, viz :—

1 ounce of bread	=	1 ounce flour, meal, peas, barley, rice (all at uncooked weight), sugar, or biscuit.
“	=	3 ounces cooked rice or Indian ground fruit.
“	=	4 ounces potatoes.
“	=	1 ounce cheese or ghee.
“	=	$\frac{2}{3}$ ounce cooked meat without bone.
“	=	$1\frac{1}{3}$ ounce uncooked meat with bone.
“	=	1 ounce salt fish.
“	=	$\frac{4}{5}$ ounce fresh fish.
“	=	$\frac{2}{3}$ pint of milk.

One column represents the farinaceous and vegetable food reduced into ounces of bread, the second the animal food reduced into equivalents of ounces of cooked meat without bone, and the third represents the two reduced together into equivalents of bread, and stated in one figure for purposes of comparison.

These figures are not more than approximately accurate. Not only is the unit liable to variation and all the equivalents open to dispute, but the diet tables often omit to state whether their weights are cooked or uncooked, and whether with any or what allowance for refuse, weighing, &c. But these figures are more nearly accurate than tables which should show the mere weight of food without reference to its kind.

The following is the dietary prepared for the Home Office by a committee of physicians in 1864, and since recommended for use in county and borough prisons in this country. It is here reduced to the same equivalents as the colonial prison diets in the tables, but it will be found in full in the Appendix. Fractions are omitted from the results.

	For 7 days.			Thence to end of 1st month.			Thence to end of 3rd month.			Thence to end of 6th month.			After 6 months.		
	AN.	FIG.	FAR.	AN.	FIG.	FAR.	AN.	FIG.	FAR.	AN.	FIG.	FAR.	AN.	FIG.	FAR.
Without hard labour	1	135	151	2	153	203	5	211	236	14	257	247	14	268	
With hard labour	—	—	165	2	168	199	10	214	230	20	260	240	20	270	

(Column i.) vi. *Hours for Sleep*.—Both in this country and in India it is held that seven clear hours for sleep are sufficient, but the convenience of the prison officers will seldom allow of a reduction to this limit. Nine hours, inclusive of the time for undressing and rising ($= 8\frac{1}{2}$ clear) should never be exceeded.

(Column j.) vii. *Recommittals*.—The recommittals to any prison are in this country about 33 per cent. on the commitments. In the great prisons of Auburn, Sing Sing, the Pennsylvania penitentiary, and Massachusetts (state prison), taken together, they are about 14 per cent, but in those prisons only recommittments to the same prison are known or reckoned. The figures representing the recommittals in colonial prisons are seldom worth much. The numbers are probably, in many cases, understated, through want of proper registration within each prison, and of communication with other prisons in the same colony. An apparently low rate of

PART I.

recommitments often means nothing but negligence in keeping records. Further, it is often impossible to gather from the statements whether the per-centage given is calculated on the total cases for the year or on the daily average. In many cases the number is swollen principally by the reconviotions for mere police offences, such as vagrancy or disorderly conduct, and this kind is not sufficiently distinguished from other and more important kinds.

Deaths. (Column *k.*) viii. *Death Rate.*—The deaths in all English prisons during 1865 were 1·35 per cent. on the daily average inmates. In 1862 the deaths at Sing Sing in the State of New York were 1·25 per cent., at Auburn, in the same State, 2·1 per cent; in the Pennsylvania penitentiary they were in 1863 1·41 per cent.; in the Massachusetts state prison in the same year 1·1 per cent. In 1864 the committee on British Indian gaols found the highest average death rate (Lower Bengal gaols) to be 10·05, the lowest (Bombay gaols) to be 3·99, and the average of all the gaols 7·07; and these amounts were justly thought to be enormous, and were the result of great and general neglect and abuses.

Cost. ix. With regard to the columns of cost, it is to be observed that the answers to interrogatories seldom state the earnings or the net cost of the prisoners. In many West Indian prisons the earnings of each prisoner at labour approach or equal his cost.

Several important heads are omitted from the tables because the information concerning them was too imperfect to be available for comparison.

In column *d*, where all the prisoners are in wards, the maximum and minimum space (depending on the number of prisoners) is given; where any considerable proportion are in separate cells only the largest and smallest ordinary cells are given. Further details, when they are requisite, are added in the schedule of prisons.

With regard to Table I, it is to be remembered that the great majority of the prisoners in West Indian prisons are black or coloured.

(B.) NORTH AMERICAN DEPARTMENT.

Canada. 1. *Canada.*—There are in Canada two reformatories, one for each section of the province, a penitentiary (at Kingston) for both sections of the province, and 54 county or district gaols (33 in Upper and 21 in Lower Canada.) Answers have been received from all of these, except five of the county gaols and one of the reformatories, the building of which was destroyed by fire in August 1864.

Provincial penitentiary. The property of the penitentiary is in the Crown, its government in the warden, subject to the directions of the Provincial Board of Inspectors. (22 Vict. c. 111. Consol. St. of Canada). The net cost of maintenance (after credit given for profits of labour) is paid from the general revenue fund of the province, but must not exceed 21,000 dollars in one year. All principal officers are appointed and removable at will by the governor, subordinate offices by the inspectors or the warden, with the consent of the inspectors or some of them. Besides the inspectors the governor may appoint three visitors, whose powers are limited to making visitations and reports. The penitentiary may be used for confinement of persons sentenced for almost every species of crime.

Reformatories. The reformatories are governed by the Act 22 Vict. c. 107 (Consol. St.), and maintained by an annual parliamentary grant. The governor may appoint and remove at pleasure the principal officers; the wardens, with the consent of the inspectors, may appoint and remove the subordinate officers. The government is similar to that of the penitentiary. Youths convicted of offences for which they would otherwise be sent to the penitentiary for not more than five years, or to a common gaol for not less than 14 days, may be sent to these reformatories instead, if their age in the one case does not exceed 21 years, in the other 16.

County and district gaols. Next, with regard to the county or common gaols. They are used for the confinement of all kinds of offenders, tried or untried, from capital to police cases. Lunatics are frequently confined in them. They are governed by no general statutes, except by a statute declaring them to be houses of correction, by sections in Acts directing certain kind of prisoners to be confined in them, and by the Act 22 Vict. c. 110., appointing a provincial board of inspectors. Under this last Act the inspectors, who are nearly paramount in the case of the penitentiary and the reformatories, have the following powers over other prisons:—

- (i.) They may and shall visit (either singly or together) at least twice a year every place kept or used for confinement of prisoners in either part of the province.
- (ii.) They may examine all things, documents, and paid officers.
- (iii.) No new gaol shall be built unless according to a plan approved by them and sanctioned by the governor; and no new gaol otherwise built and not after building approved by the inspectors shall be a lawful gaol.
- (iv.) With respect to Upper Canada, in conference with the local authorities (who must confer with them for the purpose within a stated period), they shall determine alterations in existing gaols, necessary for safe custody, health, and good discipline. In case of disagreement between them and the county councils, the governor shall decide, and the county councils must act according to the decision, providing the means by direct taxation. The governor may aid the counties by grants from the "Upper Canada Building Fund."

(v.) They shall make rules and regulations for every common gaol, subject to the governor's sanction.

This Act gives the inspectors great powers, but with the qualifications that (iv.) does not apply to Lower Canada, that in the case of Upper Canada there is no method provided for compelling the county councils to raise taxes for the purposes of improving existing gaols, that there is no power to compel the erection of new gaols so as to let in the stringent compulsion of (iii.), and that the *onus* of any compulsion rests with the executive. These qualifications have to a great extent paralysed the power of the inspectors and prevented reformation.

The actual system of management of local prisons is, in several important respects, different in the two sections of the province.

In Upper Canada the gaols are in the hands of the county or the municipal councils. The funds are provided by the county or municipality, so far as the cost of civil prisoners is concerned, by the government in the case of criminals, the expenses of the fabric falling wholly on the local authorities. The sheriff appoints the gaoler and (generally on the recommendation of the gaoler) the turnkeys. The county or municipality appoints a physician at a salary, and he is obliged to inspect the prison regularly. The stores and accounts are generally in the care of the gaoler.

Differences and defects of the systems of Upper and Lower Canada.

In Lower Canada the gaols are in the hands of the government, which provides all the funds. The sheriff is the real superintendent or head gaoler, manages the stores and accounts, and appoints a resident gaoler on the recommendation of the government, a turnkey on his own authority. There is no regular physician, but some private practitioner is selected by the government and called in by the gaoler when required. He makes no routine visits, and seems not to be always paid even when called in. If any repairs are required in a gaol of this division the sheriff must apply to the government for authority to make them. It results from the consequent delays and difficulties that repairs are seldom made, and some gaols are fast going to decay.

In neither division of the province are there any regular arrangements for visitation (apart from the annual two visits of the Provincial Board of Inspectors) except the periodical visits of the grand juries, which in most cases inspect from twice to six times in the year. In the upper division the visits of the sheriff may be some safeguard; but in the lower they are none, since the sheriff is the only person responsible.

In neither division is there any general system of prison management or discipline, or any general provision for carrying out sentences to hard labour, or for schooling or religious services. Nor does the "voluntary system" supply this last want, except in a few instances. "It is a subject most painful of observation, that so few of the clergy devote any attention to the common gaols." (Inspectors' Report, 1864, p. 87.)

The act above mentioned (22 Vict. c. 110., Consol. St.) was an important attempt to introduce system and an uniform organization into these prisons. At the close of 1859 five inspectors were appointed with the powers stated above, and they at once commenced their duties with zeal. They found the majority of the local prisons in a wretched state, as is set forth in their preliminary report of 1859.* "At the creation of the board the inspectors found that each gaol had its own peculiar mode of government; neither in respect to diet, clothing, bedding, labour, nor moral treatment, had they anything in common with each other." In five years something has been done for all, and a great deal for those in which interference was encouraged. Many have now an uniform dietary, which alone has produced an annual saving of over \$10,000 to those gaols which have adopted it, with benefit to the prisoners' health. A new set of rules has been everywhere imposed and is in many cases observed. Thirteen new gaols have been constructed in Lower Canada on improved (though still imperfect) plans. Everywhere something has been done by visitation to call public attention to defects, and excellent reports, a great power in themselves, are annually furnished to the Provincial Government. But very much remains still to be done, both on the part of the local authorities in carrying out the inspectors' recommendations, and on the part of the government, in increasing their opportunities for inspection and supporting them in their requirements.

The inspectors.

Reforms effected by the inspectors.

Reformation still incomplete.

Originally there were five inspectors; these have now for two years been reduced to four, who, in addition to the inspection twice in each year of 54 gaols scattered over 1,200 miles by 600 (along the routes of travel), have to visit the penitentiary and reformatories monthly and quarterly, and have the sole inspection and supervision of all hospitals and asylums to the support of which the state contributes. It is impossible that four men can perform all these duties with perfect efficiency, much more that they should increase the

* In the three years before their appointment 494 prisoners had become insane during detention in these prisons. The cost of maintenance was more than double what it now is in reformed gaols.

frequency of their visitation as it ought to be increased in the absence of any local machinery for the purpose.

Again, the executive appears not to have felt justified in using all the powers conferred by the Act in support of the inspectors. In obtaining the Act it acquired a most powerful engine of prison reform, and one sufficient (with all its defects), if used with energy, to make the prison system of Canada as satisfactory as prison systems can generally be made.

The following specimens taken from the reports of the prison inspectors for 1864 will show the necessity for such energetic action as regards the county gaols of Upper Canada:—

U. C., Brantford.—Some cells greatly overcrowded, while others vacant, and several given up to one lunatic.

U. C., Cobourg.—A man and a boy confined in one cell with one bed, though the number of cells is ample.

U. C., Cornwall.—No means of washing or bathing: Prison yard inaccessible from any part of the prison, and therefore useless. Four prisoners in each of some cells, with only about 315 cubic feet of space for all together.

U. C., London.—Greatly overcrowded, yet five cells given up to a lunatic.

U. C., Sandwich.—Found some of the prisoners under sentence playing at draughts. No bedsteads or conveniences in the cells.

U. C., Simcoe.—A boy, sent by a magistrate, kept for nearly four years without any formal warrant. Five males in one ward, though plenty of cells.

U. C., Barrie.—An untried boy of 14 associated with the old offenders, though cells to spare. The gaoler charges the county with a fictitious sum for the cost of cutting firewood really cut by the prisoners.

U. C., St. Thomas.—“The glass was broken in the windows, and snow was drifting into the rooms. Some of the windows in the unoccupied wards were not even shut, and snow had accumulated on the floors. Two of the rooms had been rendered totally useless in consequence of leaks from the roof, which had been dripping at every storm for the last 10 years.” The one prisoner was “shivering over a stove in a cell of which the glass in the window was broken, with the thermometer below zero.”

U. C., Perth.—The gaoler is stated to be also deputy sheriff. In 1864 a female prisoner was with child by him or by the turnkey.

U. C., Picton.—“Damp and airless underground chambers, almost totally destitute of light and ventilation.”

With these reports of inspectors may be compared the answer of the sheriff of Wentworth Co. “Information on these topics (*i.e.* the great defects of the gaol) has been furnished to the Government frequently by grand juries, by myself, and by the prison inspectors. The power to effect the necessary alterations is unfortunately committed to the municipality, whose attention to these defects has been directed frequently by the several authorities. There is little hope of amendment until the construction and maintenance of the county gaol are transferred to the Provincial Government. The present system of penal discipline in county gaols offers a premium to vice and profligacy.”

Some of the counties of Upper Canada are permitted wholly to reject the recommendations of the inspectors.

The district prisons of Lower Canada are no better. Even the 13 new gaols are without any kind of yard or enclosure, so that exercise and labour become almost impossible. Throughout Lower Canada, it is said, vagrants are allowed to “commit themselves” for the winter months.

In both divisions the prisons are crowded with persons committed as drunken, disorderly, or vagrant, and with insane persons, who both take up the room of others and suffer by association with them. The inspectors’ rules, even where they are nominally adopted, are often habitually disregarded. In hardly any county prison is there any regular provision for carrying out sentences to hard labour, in none for instruction or reformation. A great number are insecure, extravagantly yet ill managed, without means of classification, or even of separating untried prisoners, and without a proper staff. They are in no proper sense penal, though in some cases they punish indirectly by mental or bodily disease. Many have been repeatedly condemned in vain.

The penitentiary and reformatory are in most respects in happy contrast with the county prisons. They are liberally managed and efficient, so far as a still imperfect penal system allows.

The inspectors of prisons, &c. for Canada desire the following changes and extensions of criminal law and the prison system of Canada, *viz.*:—

i. That new central prisons should be established, which should relieve the penitentiary of prisoners sentenced for not more than three years, and the county gaols of those sentenced for more than 30 or 40 days. Such central prisons should be under provincial, not local, government.

The existing county gaols, from bad construction, want of means of separation and classification, of an adequate staff, and of means for hard labour, cannot easily be made penal or reformatory. In the central gaols classification, separation, and hard labour might more easily be provided for, expense would be less, from the larger and more constant numbers, while the county gaols being so relieved of a part, and that the worst part, of their numbers, might more easily classify and separate those whom they would retain, and the impending necessity for a second penitentiary would be removed. The inspectors further suggest under this head that magistrates should be empowered to sentence habitual offenders to terms sufficient to consign them to the central prisons.

There are two new prisons in Upper Canada (Toronto and Ottawa) and one in Lower Canada (Quebec new gaol), which are sufficiently well adapted for such central prisons.

ii. With regard to reformatories, that the law should be altered so that no youth over 16 years of age should be admitted, that none should be discharged before the age of 18, and that the minimum sentence to a reformatory should be for three years.

iii. With the object of further relieving crowded common gaols and of increasing the efficiency of their discipline, they desire that it should be made lawful for a judge or magistrate in his discretion to award shorter terms of solitary confinement, instead of longer terms of hard labour, which there are no means to carry out.

This punishment would be in some cases more equal than hard labour, it would not be nominal or uncertain, and by the abbreviation of terms it would relieve the accommodation in the prisons.

iv. That further powers should be given to the inspectors for compelling action on the part of the local councils.

v. That, in view of the great want of spiritual instruction in Canadian prisons, unattached chaplains should be appointed, who should make circuits of the prisons in districts to be assigned to them.

vi. That means of more frequent inspection should be provided.

Of these suggestions, at least i., ii., iii. and vi. appear desirable to be adopted. The second might perhaps go even further, in reducing the maximum age for admission to reformatories. The existing law is certainly objectionable, in so far as it allows the admission of youths up to 21, and those the offenders of the worst class, who have committed crimes for which imprisonment in the penitentiary is the ordinary penalty. The sixth suggestion is one of the most important. In view of the facts stated above it would seem to be very desirable that the number of inspectors should be increased.* The appropriation also of some of them to prisons and of others to hospitals and asylums will probably become necessary, and would certainly be an improvement.†

With regard to the fourth suggestion, it is to be observed that the executive has great powers, if it would but exert them, under the Prison and Asylum Inspection Act, and that, since these powers if transferred to the inspectors must still be exercised under the control of the executive, little would be gained by the transfer. What seems to be wanted in this respect is, that the powers of s. 15 should be extended to existing gaols as well as gaols to be built, with the addition that every cell must be certified by the inspectors, so that no gaol should be in law a gaol till properly approved, regard being had to circumstances and the means of the locality; that ss. 18, 19, and 20 should be extended to Lower Canada, so far as the same objects are not attained by c. 109. of the Cons. St. of Canada (24 Vict.); and that the gaoler or sheriff should be compelled to make quarterly returns of the numbers, arrangement, and labour of the prisoners.

It may be questioned whether the unattached chaplains (suggestion 5) would be of much service unless very numerous.

One inspector recommended the establishment of local boards of visitors; but the other inspectors object, apparently with good reason, to such an institution, as likely to produce conflicts of views and authority. The local boards might be either powerless or dangerous.

* In the necessarily brief and rare visits of the inspectors many defects have escaped their observation which are made apparent in the answers of the sheriffs. Two of the county prisons (Montmagny and St. Hyacinthe, in Lower Canada) appear not to have been visited in 1864; at least there are no reports upon them.

† It is to be desired that the reports of the inspectors should be made still more convenient than they are by the separation of the prison reports from those on hospitals and asylums, and by the placing together of the reports of different inspectors on the same prison.

PART I.

The inspectors generally desire the introduction of a system of strict separation and strictly penal labour for portions of every convict's sentence.

One inspector recommends the adoption of the English Act, 24 & 25 Vict. c. 96. ss. 8, 9, 13, &c., for the whipping of juvenile offenders, the whipping to be in some cases instead of imprisonment, so that the contamination of prison might be avoided. Flogging is not at present inflicted in Canada for any offences committed outside the prisons, nor for offences committed within any county gaol.

In some respects the action of the inspectors themselves is incomplete, even where their interference is accepted. In the new prisons, erected on plans made or approved by them, the cells are much too small,* the latrines are often so badly placed (sometimes in the day-rooms) that they become nuisances and cannot be used, and in several instances there is no yard or enclosing wall within which the prisoners could labour or take exercise. It seems to rest solely with the inspectors, under s. 15 of their Act, to see that the new gaols are properly arranged in such respects.

Lastly, it is desirable that the inspectors should examine into the legality of the detention of prisoners, wherever there is suspicion of any impropriety in this respect, and should, if necessary, invite the attention of the colonial secretary or of a court to the case. In 1864, at Simcoe, (U. C.), there was a youth of 14 who had been detained for "the better part of four years" without a warrant; at Chicoutimi a woman was detained as a witness against a man charged with having violated her; and insolvent debtors had been confined at London for two years and seven months, at Milton for two years and five months, at Sherbrooke for one year, nine months, and 12 days, at Quebec for one year and seven months, at Brockville, Montreal, Goderich, and Toronto, for over a year, though imprisonment of insolvent debtors (apart from fraud or contempt of court, neither of which is alleged in these cases,) has been abolished, except for very limited terms by the Cons. St. L. C. c. 88., U. C. 22 Vict. c. 26.

The following figures, illustrative of the comparative cost and efficiency of the penitentiary and the local prisons, are abstracted from the inspectors' annual reports:—

—	Cases.	Maximum at one time.	Recommit- tals per cent. on cases.	Gross cost.	Net cost.	Net cost per head.
Penitentiary.						
1859 - -	1,034	791	33	\$105,000	\$60,000	75
1860 - -	1,039	803	29	108,009	61,000	76
1861 - -	1,005	774	30	—	—	—
1862 - -	1,007	766	27	113,927	14,468	19
1863 - -	1,070	794	31	129,876	34,285	43
1864 - -	993	776	21	113,765*	81,867*	105*
Gaols.						
1859 - -	11,131	1,631	34	117,861†	113,000	113
1860 - -	11,268	1,428	47	122,868	118,000	118
1861 - -	10,872	1,334	57	117,405	114,000	114
1862 - -	12,964	1,694	46	140,707	137,000	137
1863 - -	13,088	1,719	44	125,571‡	120,000	120
1864 - -	13,016	1,638	46	134,954	131,000	130

* Including an extraordinary expenditure which will produce returns in following years.

† The cost of clothing is not stated or estimated for the several years.

‡ Exclusive of salaries.

On the
approximate
daily average
of 1,000
prisoners.

Nova Scotia.

2. *Nova Scotia*.—In Nova Scotia there are three principal prisons, the penitentiary, the Halifax County Gaol, and the Halifax City Prison, besides county gaols.

The detailed answers have not been forwarded from these prisons, but the lieutenant-governor reports a great deficiency of practical experience and systematic supervision in all that affects their general management and discipline. In the county prisons there is no labour, "no particular scale of dietary," no limit of sleep, and no discipline of a reformatory character. The petty criminals "live in some cases rather as members of the gaoler's family than prisoners."

Neither in the three principal prisons, which receive the worst criminals, is there any "discipline or system of a nature competent to counterbalance the want of both in the "county gaols."

The principal want is that of a proper system of inspection by an official inspector, combined with power in the executive to enforce uniformity of penal discipline and a proper system of reports. At present even the penitentiary is without any rules, and is managed not by persons possessing any especial knowledge but by the Board of Work.

* *e.g.* Barrie, 216 cubic feet in single cells; Napanee, 266; Ottawa, 220½; Toronto, 256.

Twelve prisoners have escaped from this prison in two years, yet no measures have been taken for better security, nor have those who were recaptured been punished.

A measure, however, providing for these wants, for the appointment of inspectors, and for the general regulation of prisons, is promised for the session of 1865-6.

PART I.

3. *New Brunswick.*—New Brunswick has one penitentiary and 14 county gaols. The penitentiary is said to be modelled on the prisons of Massachusetts and is sanitarily good, and on the whole apparently well managed; but it has no penal system beyond industrial labour. New Brunswick.

The county gaols are under no general law. They are maintained entirely from county funds, and managed by the county authorities on no uniform system, and without government supervision. Their structure and sanitary state are in general exceedingly bad, and though the cells appear in some cases more than large enough, in fact they are often so crowded with prisoners as to become insufficient, while in some a considerable part of the nominal accommodation is taken up by the gaoler. The staff of officers seems to be commonly insufficient. There are not always female warders to attend upon female prisoners. Partly from the bad construction, partly from the fewness of officers, there is a general want of security.

Apparently two only of the county gaols have rules, and those are very meagre. There are religious services in one only (St. John's); instruction, systems of rewards and gradations, separation, or silence, in none. There is never any penal labour, and at only two any pretence of carrying out sentences to hard labour, viz., at Carleton and St. John's gaols, at the former of which "prisoners are sometimes allowed to work for the gaoler," while at the latter "the men carry wood and the women are employed in washing and "scrubbing." There is seldom any practice or means of punishment for prison offences. There is no provision for open-air exercise except at Restigouche, which provides a yard about 21 yards square. Sleep is unlimited.

In few cases is there any diet scale. In one of these (St. John's) it is too high, in four it is confined to bread and water. In some the gaoler provides by contract at sums varying from one dollar to 7s. 6d. per head weekly. Except at St. John's there seem to be nowhere any accounts kept. In three cases (Charlotte, Carleton, and Restigouche) the gaoler is permitted to take fees from prisoners.

There is an almost universal want of security against abuses. There are no general inspectors. In three cases there are no visits even of magistrates or grand juries. The sheriff is the nominal inspector and controller, but in some instances he is himself the gaoler.

The books kept "are generally of the most unsatisfactory nature, frequently consisting of a few dirty and ill-kept sheets of paper." In eight cases the records, such as they are, remain always with the gaoler. In one case it is admitted that none are kept. The only return made to superior authorities is an annual statement of the numbers in each gaol in the past year. It seems not quite certain that even this is always furnished.

Exceptions are made by the Governor in favour of the gaols of Charlotte County and Westmorland County as regards discipline, and of those of King's and Charlotte Counties as regards construction. But it is evident from the answers that the excellence is only comparative.

It is to be noticed that the sheriff of Sunbury answers that a debtor has been in confinement there for the whole of the last five years; but the Governor queries this answer. Debtors have been confined in Northumberland for three years, in King's County for one year and eight months, within the last five years.

4. *Prince Edward Island* has three county gaols, which are managed under 12 Vict. c. 12. (Col. St.) by justices selected by the lieutenant-governor from each county to be commissioners for giving effect to the provisions of the Act. Gaolers are appointed by the sheriffs, medical officers by the lieutenant-governor. Prince Edward Island.

The Queen's County Gaol serves to some extent as a central prison, and to it may be transferred from the others prisoners sentenced to hard labour, for which in them there is no provision. In fact it does not appear that such a transference is generally made, and each of the three prisons is used for all classes of criminals, and occasionally for lunatics. The actual numbers are generally small, and below the capacity of the prisons.

The action of the Commissioners under the above Act has not had the effect of introducing uniformity of system, diet, or treatment in these prisons, nor that of making them sanitarily satisfactory. In this latter respect all three are very deficient; while the Queen's County Prison provides no labour but stone breaking, and the others none. Separation and reformation are not attempted. The Commissioners appear not to visit oftener than once in three months, or when requested by the gaoler. The lieutenant-governor visits the Queen's County Gaol occasionally.

PART I.

The Commissioners are of opinion, with regard to Prince County Gaol, "that provision should be made for moral and spiritual instruction of the prisoners, in accordance with their respective religious opinions," and that the physician is inadequately paid.

The Supreme Court can pass sentences of public flogging for some felonies (including a second or later larceny, committed outside the gaols). The power has been exercised seldom, but it is said with good effect in every case.

Vancouver
Island.

5. *Vancouver Island*.—There is only one prison, which has until lately been very ill managed, has lately been much improved, but still requires much to be done. It is insecure, and sometimes overcrowded; it does not provide for separation or strictly penal labour; the diet and hours for sleep are excessive; and there are no securities in the nature of regular inspection or periodical reports.

British
Columbia.

6. *British Columbia*.—There is one prison in British Columbia, besides small district lockups, of which there is no account. The prison appears to be on the whole well managed, and its mild system, embracing no strictly penal labour, separation, or flogging, is thought to be effective in the present circumstances of the colony. Indians are the majority of the prisoners. Tickets-of-leave are granted upon condition of quitting the colony, with good effect. One sentence of whipping has been pronounced for an offence (larceny) committed outside the prison, but has not been carried out. Imprisonment for simple debt has lately been abolished, except for short terms.

Falkland
Islands.

7. *Falkland Islands*.—There is but one prison in the Falkland Islands. It is overcrowded, and deficient in every sanitary, disciplinary, and penal requirement. "The gaoler has reported that two strangers convicted of larceny mentioned to him that in their opinion this was the worst prison they had ever been in."

Bermuda.

8. *Bermuda*.—There are two prisons in Bermuda. St. George's Gaol is a new structure, which has been much overcrowded during the American war, but is more than sufficient in ordinary years. Its sanitary arrangements are good, though not without defects. The existing gaol at Hamilton is an old, imperfect, and insufficient structure, but it is intended to replace it by a new one on a better plan, and 400*l.* has been already set apart towards the cost.

Both prisons have been very healthy, even during seasons of epidemic fever in the island.

Rules are made for these prisons by the magistrates in quarter sessions, subject to the approval of the judges.

Chief Justice Darrell suggests that one of the most immediate wants in each of the gaols is, that arrangements should be made for securing the residence within the prison, at night as well as by day, of the superintendent of hard labour, or some other subordinate officer, in addition to the gaoler and his family.

From this and from the answers to interrogatories it is evident that "Bermuda does not lie open to the imputation of indifference in prison matters, nor of culpable adherence to obsolete rules," although there is still much to be done. At present the prisoners are imperfectly separated; there is no reformatory system, the hard labour in use is insufficient, and a regular inspection by persons possessing special knowledge of prisons is wanting.

The law authorizing the use of the treadmill expired in 1862.

The convict establishment at Bermuda was broken up in 1863.

COMPARATIVE TABLE II.—NORTH AMERICAN DEPARTMENT.

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards).	No. of officers, male and female.	Hours of labour.	Kind of labour.	Diet equivalents, fat, vegetable animal, and total for males at "hard labour."	Hours of sleep.	Known recommitals per cent. on the total committals.	Annual deaths per cent. (a) on the total committals, or (b) on the daily average.
UPPER CANADA:—											
Provincial Penitentiary -	M. F. 720. 65	62,763	7,856	123.75 (wards)	10. 0	8-9½	Industrial	294. 94½. 435	9-11	28.	2.63
County Gaols, viz.:—	23-138 males.	15,000 (?)	15,000	All in wards.		—	Industrial	287. 92. 425	9-10	1 in 5 years.	1 in 5 years.
Barrie -	7-33	3,000	—	216	2. 1	—	Odd jobs	222. 30. 267	9-10	50.	5 in 5 years.
Belleville -	1-25	1,275	—	798	2. 1	—	None	Do.	11-13	—	—
Berlin -	2-21	1,355	—	400	2. 1	—	Odd jobs	Do.	12	—	—
Brantford -	20-35	3,627	—	209-683	3. 1	—	Do.	Do.	10	—	—
Brockville -	5-32	2,000	—	500	2. 1	—	Do.	Do.	12	—	—
Cayuga -	6-17	2,184	—	320-936	2. 1	—	Stones, woodcutting	Do.	12	22. 5	3 in 5 years.
Chatham -	14-24	1,408	—	600	2. 1	8-9 (?)	Odd jobs	Do.	11	27.	2 in 5 years.
Cobourg -	10-17	3,233	—	420-1,504	2. 0	—	Do.	Do.	13	—	—
Cornwall -	0-12	1,418	—	589	2. 1	—	Field labour	Do.	11	—	—
Goderich -	5-28	308	—	308	2. 1	8-10	Do.	Do.	10	—	—
Guelph -	3-37	1,844	—	239	2. 1	—	Odd jobs	Do.	8-10	13.	2 in 5 years.
Hamilton -	23-94	—	—	210-315	4. 1	—	Occasional stonebreak- ing.	Do.	9-10	—	—
Kingston -	17-18	20,900 (?)	—	171½	2. 1	—	Odd jobs	Do.	10	Above 50	1 a year.
London -	42 (as.)	5,729	—	364½	5. 1	—	Do.	Do.	10-11	80	27 (?)
L'Orignal -	1-4	500	—	216-535½	2. 1	—	None	Do.	10	—	—
Milton -	1-14	1,042	—	567	2. 1	10 (?)	Stones, and odd jobs	Do.	Sunset to 6 a.m.	—	—
Napanee -	6 (as.)	—	—	266-608	1. 1	—	None	—	12	—	—
Niagara -	30 (as.)	—	—	—	2. 1	—	None	Do.	12	—	—
Ottawa -	17-40	5,961	—	220½-800	3. 1	—	None	Do.	12	—	—
Owen Sound -	2-18	1,682	—	512	2. 1	—	None	Do.	12	—	—
Perth -	5-27	2,073	—	230-311	2. 1	—	Odd jobs	Do.	12	—	—
Peterborough -	0-17	—	—	190	2. 1	—	None	Do.	10	—	—
Pictou -	0-13	974	—	304-912	2. 1	(?)	Odd jobs	Do.	12	33 (?)	1 in 5 years.
Sandwich -	5-46	2,116	—	660 (?)	2. 0	6	Stones	Do.	10	17	2 in 5 years.
Sarnia -	—	—	—	189	2. 1	7	Occasional industrial	—	10	—	—
Stratford -	0-15	1,530	—	336-640	2. 1	—	None	Do.	11	9	5 in 5 years.
St. Thomas -	0-4	—	—	256-600	2. 1	8 occasionally	Odd jobs	Do.	12	—	3 in 5 years.
Toronto -	137-172	—	—	690	10. 2	10 occasionally	Gardening	Do.	10	9 (?)	4 in 5 years.
Welland -	1-29	—	—	500	2. 1	8	Odd jobs	224	11	—	—
Whitby -	—	2,673	—	567	2. 1	6	Do.	Do.	9	—	2-6
Woodstock -	—	2,430	—	—	2. 1	—	Do.	Do.	10	—	—
Simcoe (Norfolk) -	9-15	—	—	—	2. 1	—	—	Do.	10	—	4 in 5 years.
Lindsay (Victoria) -	—	—	—	—	—	—	—	Do.	10	—	1 in 5 years.
Sault S. Marie (Algoma) -	No answers.	—	—	—	—	—	—	Do.	10	—	—
LOWER CANADA:—											
Reformatory -	Burned down, Aug. 1864.	No information.	—	All in wards.	2. 0	—	Odd jobs	222. 30. 267	9-11	—	—
County Gaols, viz.:—	2 (average of 3 yrs.)	25 'Louis count'	—	252-2,480	2. 0	—	Do.	Do.	No limit	—	—
Beauce -	8 (average)	8687	—	233-2,815	—	—	—	—	—	—	—
Beauharnois -	—	—	—	—	—	—	—	—	—	—	—

COMPARATIVE TABLE II.—NORTH AMERICAN DEPARTMENT—continued.

Name of Colony and Prison.	a Highest and lowest annual daily average inmates in 3 years.	b Gross annual cost on average of 3 years.	c Net average annual cost.	d Amount of cubic space in cells (or per head in wards).	e No. of officers, male and female.	f Hours of labour.	g Kind of labour.	h Diet equivalents, vegetables, animal, and total, for males at "hard labour."	i Hours of sleep.	j Known recommitals per cent. on the total com- mitals.	k Annual deaths per cent. (a) on the total com- mitals or (b) on the daily average.
LOWER CANADA—cont.											
Bonaventure	2-6	\$240	—	240-720	3.	—	Do.	Do.	No limit	18	—
Chicoutima	2 (average)	500 piastres	—	267-500	1.	—	None	Do.	11-12	—	—
Iberville	6-12	1,600	—	—	2.	—	Odd jobs	Do.	10-11	—	1 in 3 years.
Joliette	4-17	928	—	687 (cells)	2.	—	None	Do.	10-12	—	—
Kamouraska	19 (as.)	824	—	240 (?)	2.	—	None	Do.	9-11	—	4-8
Montmagny	8 (as.)	1,400 piastres	—	240-600	2.	—	Industrial	Do.	10½-13	80	—
Montréal	239-402	24,236	—	184-736	2.	—	None	Do.	No limit	—	3-5
Percé	1-9	400	—	—	5.	7	Oakum	Do.	9-10	—	—
Québec	103-180	15,209	—	362-666	1.	—	None	Do.	11-12	—	1 in 5 years.
Rimouski	20 (as.)	400	—	340-640	1.	—	—	Do.	11-13	—	—
Saguenay	2 (as.)	800	—	240	2.	—	None	Do.	Unlimited	—	2 in 3 years.
Sherbrooke	9-25	3,339	—	—	3.	—	None	Do.	Unlimited	—	1 in 3 years.
St. Hyacinthe	12 (as.)	1,400	—	—	1.	—	None	Do.	10	—	9 in 5 years (including 5 of old age).
St. Scholastique	9 (as.)	800	—	262-584	1.	—	None	Do.	Sunset to sunrise	—	—
Sorel	9 (as.)	600	—	304-716	1 or 2	—	Odd jobs	Do.	12-14	—	—
Sweetsburg	9-27	2,371	—	—	4.	—	Do.	Do.	—	—	—
Three Rivers	—	2,000	—	816 (cells)	—	—	—	Do.	—	—	—
Arthabaska	No information.										
(Note on table a. Canadian prisons. The answers appear to give the actual instead of average annual maximum and minimum.)											
NOVA SCOTIA :—	No detailed information.										
NEW BRUNSWICK :—	No detailed information.										
Provincial Penitentiary	No detailed information.										
County Gaols, viz. :—	No detailed information.										
St. John's	59-176	11,684	—	208½ (wards)	5.	9-10	Industrial	About 400	11-12 (?)	33 (?)	6 in 5 years (including 1 suicide).
Charlotte	3-57	1,000	—	} With regard to the County Gaols the information received is not detailed enough to enable this column to be filled up. There are 1, 2, 3, or more large cells in each County Gaol. Each of these cells is sometimes crowded with many persons, sometimes empty.	1.	—	Odd jobs	168. 112. 336	No limit	—	—
Queen's	1-18	680	—		1.	—	Odd jobs	224 oz. bread	Do.	—	—
Sarnby	—	—	—		1.	—	Do.	No scale. Gaoler provided.	Do.	—	1 in 5 years (suicide).
York	0-4	300	—		1.	—	Do.	224 oz. bread	Do.	—	—
Carleton	0-12	500	—		1.	—	Do.	No scale. Gaoler contracts.	Do.	—	1 in 5 years (suicide).
Victoria	0-9	73	—	} With regard to the County Gaols the information received is not detailed enough to enable this column to be filled up. There are 1, 2, 3, or more large cells in each County Gaol. Each of these cells is sometimes crowded with many persons, sometimes empty.	1.	—	Do.	—	Do.	—	—
Restigouche	1-5	300	—		1.	—	Do.	No scale. Gaoler contracts.	Do.	—	1 in 5 years (suicide).
Gloucester	1-8	200	—		1.	—	Do.	—	Do.	—	—
Northumberland	1-7	320	—		0.	—	Do.	224 oz. bread	Do.	—	—
Kent	1-16	720	—		1.	—	Do.	224 oz. bread	Do.	—	1 in 5 years (suicide).
Westmorland	1-10	320	—		0.	—	Do.	No scale	Do.	—	—
Albert	0-8	400	—	} With regard to the County Gaols the information received is not detailed enough to enable this column to be filled up. There are 1, 2, 3, or more large cells in each County Gaol. Each of these cells is sometimes crowded with many persons, sometimes empty.	1.	—	Do.	—	Do.	—	—
King's	1-4	80	—		1.	—	Do.	Gaoler contracts	Do.	—	—
King's	1-8	400	—		1.	—	Do.	—	Do.	—	—

COMPARATIVE TABLE III.—NORTH AMERICAN DEPARTMENT.

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards) in feet.	No. of officers, male and female, on duty within the prison.	Hours of labour.	Kind of labour.	Diet equivalents, farinaceous or vegetable, animal, and total, for males at "hard labour."	Hours of sleep.	Known recommitals per cent. on the total of the total com-mittals.	Annual deaths per cent. (a) on the total com-mittals or (b) on the daily average.
PRINCE EDWARD ISLAND :—											
Queen's County -	256½ (average com-mittals)		—	240	1. 1	8	None	—	9	—	1 in 5 years.
Prince County -	60 (av. com-mittals)	630 <i>l.</i> 7 <i>s.</i> 0 <i>d.</i> ½	—	962-988	1. 0	—	None	112. 175 (?) and 3 gills molasses.	Unlimited	—	—
King's County -	57 (av. com-mittals)		—	882	1. 1	—	None	140. 203 (?) and 3 gills molasses.	11	—	1 in 5 years.
VANCOUVER ISLAND :—											
Gael -	20-70	—	—	108-864 (in wards)	2 m. by day & 2 m. by night.	8-10	Roads, &c.	182. 56. 266	12	c. 10 % of a.	About 1 a year.
BRITISH COLUMBIA :—											
New Westminster -	13-29	1,356 <i>l.</i> (in 1864)	—	280	3. 0	7	Roads, &c.	182. 84. 308	8½-10	4½ % of a.	5 in 4 years.
FALKLANDS :—											
Stanley -	2-0-17	100 <i>l.</i> →	—	468 for sometimes 3 persons.	1. 1	8-10	Public works	144. 112. 352	9½-10½	—	—
BERMUDA :—											
Hamilton -	c. 16	300-600 <i>l.</i>	—	c. 800-1,400	2. 1	9	Crank & stonebreaking	143. 28. 185	Sunset to sunrise	3 of 16	1 in 5 years.
St. George's -	c. 24	350-600 <i>l.</i>	—	c. 730-830	1. 1	9	Do.	Do.	Do.	0	1 in 5 years.

(C.) MEDITERRANEAN AND AFRICAN DEPARTMENT, WITH
ST. HELENA AND GIBRALTAR.

Malta.

1. *Malta*.—In Malta there are two houses of detention (Valletta and Gozo) and a female prison (Ospizio), which are, generally speaking, sufficiently good for their purpose, with a large prison and house of correction for males at Corradino, which is in most respects a model prison of its kind. Plans of Corradino and of another new prison will be found in the Appendix.

In Malta $\frac{1}{2}$ of the prisoners are half-oriental, and the remaining $\frac{1}{2}$ consists chiefly of sailors, who will shortly be removed to a special naval prison, and of English soldiers committed for civil crimes. Flogging is not in use in the civil prisons of Malta.

An insolvent debtor has been confined at Corradino for two years and 129 days within the last five years.

The prisons are maintained from imperial funds.

Gambia.

2. *Gambia*.—There is one prison, which is sanitarily defective, but appears to be well managed (but without separation), and very carefully inspected. Flogging is in occasional use for larceny committed by males outside the prison, and is said to have good effect. Flogging for prison offences is said to be ineffectual when repeated in the case of old offenders.

Cape of
Good Hope.

3. *Cape of Good Hope*.—The only information received from the Cape is a despatch from the Governor, of which the following is the substance :—

“Under the system now in force in this colony, prisoners (males) under sentences for less than six months are detained in the local gaols in all parts of the country, under the supervision of the paid local magistrates, and are by them employed in repairing and keeping clean the streets and roads, and on such other public services as may from time to time present themselves. All other prisoners (males) are removed immediately after the close of each circuit court to one of four principal convict stations. The largest of these is at Cape Town, where, in 1863, upwards of 400 were employed in the construction of a breakwater in Table Bay. This appropriation of their labour for a considerable term of years has been deliberately sanctioned by Parliament, and I have not the smallest belief that their consent could be obtained to the withdrawal of it. Two other gangs of about 200 each were employed in the construction of two mountain passes, on which barracks and all other necessary accommodation have been provided. A fourth gang of rather more than 100 was employed in the harbour works at Kowie, in the Eastern Province, under a parliamentary arrangement of some years standing. At all these stations the convicts are employed in gangs in the open air during the day, and at night are confined in large barracks or wards. No attempt is made at separation or classification. With the existing buildings it is simply impracticable, and it would be worse than useless for me to attempt to induce the Parliament to concentrate these establishments in central localities, and to construct prisons which would admit both of separation, and of, as it would be called, unprofitable deterrent employment. The distribution of the convict labour is jealously watched, and the several districts look eagerly to the time when they may hope to obtain the benefit of it.

“It must also be remembered that since the year 1859 this colony has spent about 144,000*l.* in the construction of some forty new gaols. Many of them have been found defective; and the public irritation has been so great as to have led to bitter complaints in Parliament, and to the compulsory retirement of the colonial engineer and one of his assistants. * * * * *

“I should add that all females are employed within the prisons, and those whose sentences exceed six months are brought to Cape Town.”

St. Helena.

4. *St. Helena*.—There is one prison in St. Helena for all classes of offenders. It is in fact merely a house of detention, sanitarily good, except in the size of the cells, but insufficient in accommodation. Most of the cases are simple police cases. There seems to be no regular visitation.

An ordinance has lately been passed for establishing a juvenile reformatory, with a carefully considered scheme for encouraging good conduct by the certainty of proportionate abridgment of sentence, but it is not yet in operation, and juvenile offenders are commonly birched instead of being imprisoned.

Gibraltar.

5. *Gibraltar* (local prisons).—The “civil criminal,” and debtors’ prisons are defective in many points. (See Schedule of Prisons, *infra*, p. 60.) The Governor observes of the former, that “this prison is a building outside, though attached to the walls of the Moorish castle, against which it never ought to have been built. The very building has the character, with its annual alterations, additions, &c., of a makeshift business; and if a real effective system of deterrent hard labour is to be maintained, it ought to be pulled down and a proper prison built. The situation is bad, for the yards are in small sloping terraces circumscribed in space and exposed to the direct power of the sun. It is inefficient for its proper purpose of punishment.”

COMPARATIVE TABLE III.—MEDITERRANEAN AND AFRICAN DEPARTMENT (WITH ST. HELENA AND GIBRALTAR).

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards) in feet.	No. of officers, male and female, on duty within the prison.	Hours of labour.	Kind of labour.	Diet equivalents, farinaceous or vegetable, animal, and total, for males at "hard labour."	Hours of sleep.	Known recommittals per cent. on the total committals.	Annual deaths per cent. (a) on the total committals, or (b) on the daily average.
MALTA :											
Corradino - - -	116-156	£ 2,835	—	1,038	M. F. 15 0	—	Stones and oakum	253. 17. 278	10	—	2 in 5 years.
Ospizio (females) - -	2-10	82	—	1,800 (in wards)	1(?) 1	None fixed	Housework	—	7½-9	—	1 in 5 years.
Valetta - - -	3-40	240	—	—	2 0	—	None	—	—	50	—
Gozo - - -	0-18	64	—	—	1 0	—	—	—	—	—	—
GAMBIA :											
Bathurst gaol - - -	1,738 cases in 5 years.	660	—	379-450	5 0	10	Public works	224. 56. 308	12	—	·75 on (a) (?)
CAPE OF GOOD HOPE :											
ST. HELENA :											
Gaol - - -	10-48	829	—	171-416	3 1	—	Public works	—	12 (?)	—	—
GIBRALTAR :											
Civil Criminal Prison - -	12-19	429	—	291	4 1	5½-7½	Stones and oakum	170. 12. 188	11½-13½	—	11·5 on (a)
Debtors' Prison - - -	3-7	—	—	773	together	—	None	—	—	—	—

PART I.

(D.) AUSTRALIAN AND EASTERN DEPARTMENT.

Queensland.

1. *Queensland* has a central prison at Brisbane, district prisons at Rockhampton and Toowoomba, a convict hulk at Moreton Bay, and 34 lock-ups, one of which is 1,200 miles from the capital. All these except seven of the lock-ups have been built within five years, their initial cost being 68,230*l.* 12*s.* 3*d.*, their annual cost of maintenance about 12,000*l.*

The colonial secretary is responsible to the legislature for the proper management of the prisons. Subject to his supervision the control is with the sheriffs.

The prison at Brisbane is good and sufficient; the district prisons are already too small. At Brisbane there is complete separation by night, but at labour there is not even strict classification. In the district prisons separation is impossible, and there is no strictly penal labour, nor any system of remissions or gradations. There is schooling at Brisbane, none in the other prisons. The diets are high, the hours for sleep too long, the hours for labour too short.

Sentences of flogging for offences committed outside the prisons may be but are not pronounced.

Two instances are mentioned of prisoners being shot, it is not quite clear whether in the act of attempting escape or after its accomplishment.

Tasmania.

2. *Tasmania*.—Of the local prisons (as distinguished from the penal settlement), those at Hobarton are in a generally satisfactory state, so far as regards their management, except that they do not provide for penal labour, do not admit of separation, and are sanitarily defective.

Of the Launceston prison the Governor reports very unfavourably.

The defects of these prisons appear more in detail in the Schedule of Prisons (*Tasmania*, Hobarton and Launceston). They are under the control not of the Governor but of the colonial government.

South
Australia.

3. *South Australia*.—A common gaol at Adelaide, a convict or labour prison at Dry Creek, and three small district prisons form the prison establishment of South Australia. In the convict prison (which appears to be on the whole unusually well managed) the prisoners are separated at night and classified in gangs at labour. But there is no merely penal labour and no schooling. There is a system of credits and remissions.

For mutiny or outbreak, for assault on officers with intent to kill, for arson or attempted arson, and for unnatural crimes, convicts may be and apparently are sentenced to 150 lashes. The effect is said to be "deterrent."

The diet and hours for sleep at the common gaol are very excessive.

There are no inspectors of these prisons other than visiting magistrates.

At Dry Creek the profits of labour reduce the annual cost from 3,486*l.* 9*s.* 0*d.* to 2,144*l.* 1*s.* 9*d.* (1,342*l.* 7*s.* 3*d.*)

Juveniles can be flogged for larceny committed outside the prison, but this power seems not to be often used by the courts.

There has been a steady decrease in the number of female criminals in South Australia since 1855 (from 164 to 65 annual committals). Male criminals decreased from 1855 to 1861, but since then they have slightly increased at Adelaide, the reverse at Dry Creek.

Western
Australia.

4. *Western Australia*.—Apart from the convict establishment, there is only one local prison. It is small and used only for women and persons untried or condemned to death. There are 12 lock-ups, of which two have only one small cell each.

Flogging may be inflicted on white persons for offences committed outside the prisons, and in two instances 100 lashes have been given for "assault and robbery."

With regard to the aborigines, under 12 Vict. No. 18 (*Western Australia*), two justices, one of them being a guardian or sub-guardian of natives, or the resident magistrate, may try natives summarily and give two dozen lashes, either with or instead of imprisonment for six months, for any felony or misdemeanor except murder, dangerously wounding with intent to murder, arson causing danger to human life, and rape. The flogging must be in the presence of one of the convicting justices or a guardian or sub-guardian.

Ceylon.

5. *Ceylon*.—There are in Ceylon 28 prisons, of which one (Wellecadde) is the central prison for the island, six are provincial, and the remainder district prisons. They are governed by an ordinance, No. 18, 1844. The prisoners are for the most part Hindoos or Mahomedans.

Upon receipt of the Secretary of State's circular despatch and the interrogatories the Governor and Executive Council of Ceylon appointed a commission to consider what reforms were feasible and desirable in the prisons. This commission, composed of gentlemen specially qualified for their duty, has presented an elaborate and excellent report. The general result of their inquiries has been "a thorough conviction that the state of the prisons and prison discipline in Ceylon is very bad and urgently requires reform," and that extensive reforms in the spirit of the Secretary of State's recommendations are practicable. They state in substance (i.) that "there is not a single prison in the island out of which two active able-bodied men acting in concert with each other might not easily escape, if they could obtain a few yards of rope, and were left unwatched for a quarter of an hour through the idleness or corruption of the gaol officers, who are in general numerically inadequate to the due execution of their work, and who are in general extremely ill paid. One result of this insecurity is that prisoners for trial are frequently subjected to great and unjustifiable severity of confinement by chains or stocks.

Insecurity.

(ii.) That except at one prison there is no approach to the infliction of labour hard or unpleasant enough to have any deterrent effect, while the labour which is imposed is unequal and unregulated.*

No penal labour.

(iii.) That separation and classification are nowhere carried beyond the separation of sexes, colour, untried prisoners, and debtors, criminals of all varieties of guilt commonly living and sleeping in close association.

No separation.

(iv.) That the diet is too high for a penal condition, and higher than what free persons of the same ranks could obtain.

Too high diet.

(v.) That the prison system is the reverse of reformatory.

System the reverse of being reformatory.

(vi.) That the sanitary condition of the gaols is very bad.

After observing that an expected disuse of transportation will, in the first instance, increase the numbers in the prisons, and that the native Singalese are comparatively little open to those reformatory influences which require long terms of imprisonment, the Commissioners, proceed to recommend amongst other things—

(i.) That there should be four classes of prisons, with a sufficiency of large and well-ventilated cells. The proper places for the prisons of each kind are pointed out. Most of the 25 prisons and 13 lock-ups comprised in this scheme have still to be constructed, either wholly or in great part.

(ii.) That certain provisions should be made for carrying into effect the views expressed in the circular of the Secretary of State, as to separation, a preliminary penal stage, a subsequent promotion for industry through stages progressively diminishing in severity, with the prospect of remissions, and for a system of marks and of tickets-of-leave.

(iv.) That extended powers of whipping instead of imprisoning juvenile offenders should be given by the legislature; and,

(v.) That there should be efficient and well-paid inspectors of prisons. The several recommendations of the Commissioners are worked out in detail in their report.

The report was presented to the Executive Council in Sept. 1866. The governor and council approve the conclusions of the Commissioners generally, but without committing themselves to some minor details which require further consideration, and are prepared to apply to the Legislative Council for the requisite funds. They desire to obtain from England a well-qualified officer (to be paid by the colony) to act as inspector-general of prisons, and to superintend the necessary constructions and alterations.

"Looking (the governor justly and liberally says, speaking for himself and the Executive Council) to the very large expenditure which will have to be incurred in carrying out the recommendations of the committee, and in view of the improvement in the social condition of the people which it is believed they will, if properly carried out, effect, I would submit to your lordship that the amount of salary is a matter of secondary importance, as compared with the necessity of securing the services of the fittest officer that can be found for the post."

In the meantime some plans are being prepared by the civil engineer, and the Queen's Advocate has been instructed to prepare an ordinance to carry into effect such of the recommendations as require the sanction of the legislature.

Such further information as the answers to interrogatories supply is given below. (*Schedule Ceylon.*)

By the prison ordinance (No. 18, 1844, s. 14) every convicted prisoner in a proclaimed prison is liable for the costs of his maintenance therein, to be recovered by distress and

* At least in one case the very names of instruments of penal labour seem to be unknown to the local authorities. In answer to the question whether crank or wheel is used, they say, "No instruments of torture in use."

sale. In fact it is seldom that any such costs are recovered, except in the case of Jaffna, which has so recovered 286%. 2s. in five years.

Debtors have been confined at Galle for two years and a half, at Jaffna for one year and three months, within the last five years.

The answers to interrogatories supply important illustrations of the effect of flogging, which can be inflicted both for prison offences and for offences committed outside the prisons. The Fiscal of Jaffna says:—

“Sentences of flogging are pronounced by the courts for offences other than those committed in the gaol.

“The law does not restrict the infliction of this punishment to particular offences. In practice it is generally, in this province, confined to cases of cattle stealing, thefts, violent assaults, and escape from gaol. The punishment has been very greatly disused of late years as compared with former times. I add a statement of such punishments for three years ended 1864.

“In my opinion the general effect of it is bad, as hardening offenders, and certainly no evil consequences can be pointed to as the result of, or even as having happened concurrently with, the great decrease in the resort to it.

“Almost the only class of cases to which I think the punishment is applicable, and in which it would not be attended with injurious consequences, while the resort to it would be the means of avoiding certain, or almost certain, evil consequences of another character, is in the form of a whipping (*i.e.*, on the posteriors and not on the back) on boys and young men, in substitution of imprisonment; but this could only be resorted to in cases in which a moderate whipping might be deemed to be about an equivalent punishment to imprisonment that would otherwise be awarded.

“A standard cat, sealed, is kept in the fiscal’s office. (All flogging is inflicted by fiscal’s officers.) None other is allowed to be used in the province, and it is required that when those supplied to the subordinate officer at a distance need repairs they should be sent to the head office for the purpose.

“The handle is 1 foot 8 inches in length, and $1\frac{1}{2}$ inches in diameter, and of light wood. The tails are of line commonly used by fishermen, made of cotton tightly twisted and strongly lacquered. It is difficult to give the thickness; it is about that of very strong cord for cording parcels. They are without knots, and tied for about $\frac{3}{4}$ of an inch with waxed thread at the end to prevent fraying.

“The entire weight is $\frac{1}{2}$ lb. The rules as to this matter were adopted from those of the Madras Government many years ago.”

The substance of the appended statement is that in three years flogging was inflicted in 19 cases at Jaffna, the aggregate number of lashes being 221, applied on the posteriors not on the back, and that the number of such punishments has progressively decreased.

The Fiscal of Kandy:—“Flogging seems to be of no effect, as those who have been “flogged are the ones who generally run into crime; their back being hardened they “don’t seem to mind it.” It must be observed that at Kandy from 15 to 20 days are generally allowed to intervene between sentence and punishment.

On the other hand, at Wellicadde flogging “is deemed to be salutary, so far as its “detering effect goes;” at Hulsdorp “the punishment is much dreaded by the natives;” at Putlam it has a “beneficial effect.”

The answers from Kornegalle say of flogging for offences committed out of the gaol that “no punishment seems so generally effectual as this;” but of flogging for prison offences that “it is generally the most effectual punishment, but only because the most dreaded;” “otherwise the moral effect upon the prisoner is decidedly bad.”

Hong Kong.

6. *Hong Kong*.—In Hong Kong there is a general prison (Victoria), a convict hulk (at Stonecutters Island), a juvenile reformatory, and a lock-up. These prisons in a manner serve for the whole coast of China, “owing to the inability or unwillingness of the Chinese Government to control its own subjects, or repress crimes of violence (such as piracy) “within its proper jurisdiction.” They are maintained from the colonial revenue with contributions from military, naval, and consular funds, at a cost of about 11,000%. a year.

The Victoria prison is a sufficiently good and large building; the convict hulk is a miserable makeshift, pending the completion of a new prison; of the other two no account is given.

Separation and strictly penal labour are not in use, but are promised to be tried in the new prison. Reformation is not attempted, except by a limited system of remissions and rewards, of which no particulars are given. The treadmill was formerly used at Victoria, but was abandoned for more profitable labour.

It will be the more necessary that in the new convict prison provision should be made for separation and penal labour, because after its completion there will no longer be public works available for the employment of the convicts. The superintendent of convicts thinks that separation would have a great effect upon Chinese prisoners, and that they ought to be harder worked than at present they can be.

Sentences of flogging can be and are pronounced by courts of justice for offences committed outside the prisons, especially for robbery with violence. The flogging is inflicted publicly in the street, and is said to be much dreaded. There have been instances of criminals petitioning for long terms of imprisonment in the place of being flogged.

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards) in feet.	No. of officers, male and female, on duty within the prison.	Hours of labour.	Kind of labour.	Diet equivalents, farinaceous or vegetable, animal, and total, for males at "hard labour."	Hours of sleep.	Known recommitals per cent. on the total committals.	Annual deaths per cent. (a) on the total committals, or (b) on the daily average.
QUEENSLAND:											
Brisbane Central Prison	47-205	£ s. d. 3,166 0 0	—	550	M. 11. 2	7-8½	Roads, oakum, &c.	173. 77. 258½	12	66 (?)	7 in 5 years.
Rockhampton District do.	8-39	1,234 0 0 (1864)	—	—	F. 5. 1	7-8½	Do.	Do.	12	11 in 16 months	2 in 16 months.
Toowoomba do.	13-40	1,258 0 0 (1864)	—	—	—	7-8½	Do.	Do.	12	—	1 in 13 months.
Moreton Bay Hulk	—	800 0 0 (estimated)	—	—	—	7-8½	Oakum	Do.	12	—	—
34 Lock-ups	—	4,789 0 0 (1864)	—	—	—	—	—	—	—	—	—
TASMANIA:											
Hobart House of Detention	6-26	"Under 45l. per head."	—	—	7. 0	—	None	168. 56. 252.	11½	90	—
Hobart House of Correction for Males.	105-182	"27l. per head."	—	203	6. 0	7½-10	Public works	241. 84. 367.	8½-10½	90	—
Hobart House of Correction for Females.	141-159	—	—	233-640	0. 6	8½-9½	Oakum	152. 56. 236.	11½-12½	All but 2 have been in at least twice before.	4.5
Launceston Gaol	89-156	4,199 0 0	—	164-761	6. 3	—	Irregular industrial	266. 84. 392.	11	—	5 in 5 years.
S. AUSTRALIA:											
Adelaide Gaol	59-103	2,153 0 0	—	700	10 of both sexes.	9 (?)	Roads, oakum	234. 56. 308.	12 (?)	12.5 (?)	2 in 5 years.
Dry Creek	68-90	3,486 0 0	2,140 0 0	552	16. 0	8½-10	Stones	201. 56. 285.	9	40	4 in 5 years.
Three small District Prisons which contained together 30 prisoners on Dec 31, 1864. No other information.											
W. AUSTRALIA:											
Perth Gaol	2-14	300 0 0	—	202½-405	1. 0	8	Industrial (women)	—	10-11	—	—
12 Lock-ups	No information.										
CEYLON:											
Western Province.											
Arisawelle	4-11	27 14 2	—	A single room of 2,880 c. ft.	3. 0	9	Roads, &c.	2s. 2½d.	12	—	—
Calpentin	47-75 cases per an.	101 0 3½	—	Only two rooms and together about 6,000 c. ft.	2. 0	8	Streets, &c.	1s. 3½d.-2s. 0½d.	11	—	—
Calura	2-9	36 9 8	—	3 rooms	4. 0	9½	Streets, &c.	1s. 9d.	11	—	—
Hulsdorp (Colombo)	112-199	1,416 11 6	—	1,008	21. 0	10(?)	Roads, &c.	2s. 7½d.	11½	Nearly 300 % on b	8.1 % on b.
Kaigalle	Clerk omitted to keep any account.	136 0 0	—	—	4. 0	—	Stone-breaking, &c.	2s. 0½d.	10½	—	—
Nagombo	Documents eaten by rats.	96 12 10	—	Only 2 rooms of together 5,280 c. ft.	2. 0	—	Streets, &c.	2s. 9d.	12	—	1 in 5 years.
Panura	89-174 cases a year	37 7 4	—	—	2. 1	10	Roads, &c.	—	10	32 in 5 years	3 in 5 years.
Ratnapoora	3-66	219 18 4	—	—	5. 0	9	—	—	—	—	—
*Wellecaide Central Gaol (Colombo)	141-334	3,459 8 10	—	630	42. 2	9½	Industrial	—	11½	19 % on b	Nearly 10 % on b.
North-western Province.											
Chilaw	455-620 cases per an.	42 17 0	—	3 rooms, together 6,624 c. ft.	3. 0	8	Roads, &c.	2s. 0½d.	12	9 % of a	1 in 5 years.
*Kornegalle	29-94	700 5 6	—	4 rooms, together 17,587 c. ft.	1. 1	9	Roads, &c.	(a) 3s. 6d. (b) 7s.	"About 10"	784 in 5 years	8 in 5 years.
Putnam	13-66	23 15 7½	—	600	5. 0	9	Roads, &c.	(a) 2s. 7½d. (b) 7s.	9	1½ % of a	1 in 5 years.

(a.) Europeans. (b.) Singalese.

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards) in feet.	No. of officers, male and female, on duty within the prison.	Hours of labour.	Kind of labour.	Diet equivalents, vegetables, fruit, and milk, in miles at "hard labour."	Hours of sleep.	Known recommittals per cent. on the total commitments.	Annual deaths per cent. (a) on the total commitments, or (b) on the daily average.
Southern Province.											
Balleptir Lock-up	—	£ s. d. 38 0 0	—	Wards, 3,380 c. ft.	M. F. Casual.	9 10 10	Gardening Roads, &c.	— — —	8 9 9	— — —	— 4% on b.
Galle Old Gaol	74	1,936 19 5½	—	10 wards, together 56,469 c. ft.	4. 1	{	Roads, &c.	—	—	—	{
*Galle New Gaol	(Only two months in use.)		—	3 wards, together 30,618 c. ft.	3. 0 1. 0 2. 0	9 — —	Roads and saltworks Roads, &c. Roads, &c.	— — —	11 10 12	59 in 1864 (?) 167 in 5 years (?)	{ 31% on b in 1860 2% " in last 4 years. 2 in 5 years.
*Hambantotte	37-115	943 16 11½	—								
*Matura	26-55	596 3 3	—								
Tangalle	193-398 cases per an.	136 1 0½	—								
Eastern Province.											
Batticaloa	4-41	143 0 8	—	4 wards, together about 7,000 c. ft.	3. 0	—	Roads, &c.	{ (a) 2s. 5¾d. (b) 5s. 3d.	10½ 11	150 in 5 years (?) 35% of a	— —
*Trincomalee	7-45	280 1 1	—		6. 1	11	Roads, &c.	—	—	—	—
Northern Province.											
Anaradhapoora	4-16	177 10 10½	—	3 wards, together 6,805 c. ft.	4. 0	—	Roads	—	10	31 in 5 years	—
*Jaffna	46-66	207 7 6	—	Large wards.	7. 1	9	Roads, &c.	—	About 10	—	6 in 5 years.
Manaar	1-34	68 5 7	—	8 wards, together 35,568 c. ft.	4. 0	9	Streets, &c.	No rule	12	—	¾% on cases.
Mulleltivoe	11-16	14 19 9	—	2 cells, together about 3,360 c. ft.	1. 0	9	Roads, &c.	—	13	78 in 5 years	—
Central Province.											
Badulla	13-27	—	—	9 wards, together about 55,000 c. ft.; av. per head, 250.	3. 0	9	Roads, &c.	—	11½	13% of a	9½ on b.
*Kandy	135 (in 1864 47-994 cases).	1,398 17 5	—	3 wards, together 4,358 c. ft.	21. 1	—	Public works, &c.	—	10	8% of a	5% on b (?)
Mátalé	5-32	140 4 8	—		3. 0	—	Roads, &c.	—	11	—	—
N. Ellié	15	255 13 0½	—		1. 0	9	Roads.	—	11	—	—
Hong Kong:											
*Victoria Gaol	393-530 (1865)	5,848 3 4	—	c. 576.	23. 1	9	Stone-breaking and road-making.	About 254 Europeans, about 236 Asiatics.	11	—	About 47 (?)
"	263½	\$18,679	—	Under 70 (?)	12. 0	9	Public works	About 350 Europeans, about 248 Asiatics.	9½-10	—	2½-15½
Reformatory	No information.										

(a.) Europeans. (b.) Singalese.
 Note on Ceylon.—The prisons marked with an asterisk are provincial, the others are merely district prisons.

(E.) IMPERIAL CONVICT ESTABLISHMENTS IN COLONIES.

PART I.

1. *Gibraltar*.—The state and requirements of the large convict prison at Gibraltar will best appear from the following statement of the Comptroller General and the appended comment of the Governor of Gibraltar.

"The structure is well enough in its way, but there is no doubt the association of criminals in wards, especially by night, is very wrong, and highly injurious in every sense. **Structure.**

"The separation of prisoners when not at work is of the greatest importance. Unfortunately the space available for the purpose on the present site is insufficient. It is not possible to enlarge the prison. **Separation of prisoners desirable.**

"There are various other sites at Gibraltar suited for a prison, as set forth in my special report of October 1854, especially the lower plateau at Windmill Hill.

"There are certain alterations and repairs very much required. A list of these was submitted in the month of August 1863, including the following items, viz.:— **Alterations and repairs required. List submitted in August 1863.**

"The completion of the flooring of the loft.

"A ventilation for steward's office.

"Eaves-gutters to all out-offices.

"Waterclosets for steward and clerks, at back of the steward's stores.

"A lumber-yard adjoining the wash-house.

"Addition of a chancel to the chapel, and accommodation for warders and their families.

"Additional ventilation in the roof of the prison.

"Cast-iron piping for conveyance of water from Little Jumper's bastion.

"Wooden window screens to the wards, and painting the whole of the prison and premises.

"Nothing having been heard respecting the estimate and requisition for these alterations, the subject was again brought to the notice of the visitors in the month of October last, but without result.

"In a sanitary sense I have nothing to suggest for the improvement of the prison, except a copious supply of good fresh water. **Sanitary state.**

"To this end, pipes might be laid down from the prison to the Naval Yard, which is already connected with the large tank at Rosia, as suggested in my special report of 1854. The length of piping required would be only 715 feet, which could be laid down by prisoners at a moderate cost, and with very little inconvenience. Another source is from a spring at the foot of Jumper's bastion, whence water flows to waste, at the rate of 2,000 gallons a day, into the Harbour (?), as stated in my Annual Report for the year 1855. **Supply of water recommended.**

"And a third supply could be obtained hereafter from the great tank on the Upper Road, whenever the pipes to supply the neighbourhood may be laid down.

"With regard to prisoners convicted at Gibraltar, I would recommend that means be adopted and authority granted for enforcing penal discipline for nine months of the first portion of their sentence, as is the practice in the prisons in England. **Discipline. Penal discipline or separate confinement during first period of sentence.**

"It is desirable that they should all undergo this course of discipline (with shot drill and short diet) before they are permitted to be employed on the public works.

"I think it desirable that the mark system should be immediately introduced, with only such slight modifications of detail as local circumstances render necessary.

"Following the example set in the home prisons, I would recommend that on one day of the week prisoners should have no flesh meat. There is an abundant supply of salt fish always procurable on the spot (the 'Bacallao' of the Spaniard) at a very cheap rate, a small portion of which, say 6 oz., could be substituted for the meat. The puddings given in England would be too heavy and cloying in this climate. For Spaniards and natives of Gibraltar, I think a different dietary to that given to Englishmen should be provided. These men are accustomed to diet inferior in quality and quantity to that given in the prison, and the consequence is that in this respect they are better off in prison than ever they have been before. **Diet. Proposed substitution of salt fish instead of meat on one day in the week.**

"A diet consisting on alternate days of 'potage,* and 'Bacallao,' with rice and a pound of bread, would be more suitable for such men than the meat, soup, and potatoes issued to the Englishmen. In this opinion the medical officer fully concurs. He also thinks with me that it is desirable to introduce the *penal-class diet* prescribed in the Report of the Directors of the Convict Prisons for the year 1857, page 88. **Different diet for Spaniards and natives of Gibraltar. Penal-class diet recommended.**

"The diet is as follows, viz.:

"*Breakfast*—10 oz. of oatmeal with $\frac{1}{2}$ pint of milk made into porridge.

"*Dinner*—10 oz. of Indian meal and 1 pint of milk made into pudding, and $\frac{1}{2}$ pound of potatoes.

"*Supper*—12 oz. of bread.

"I would also recommend the gradual abolition of tobacco. **Abolition of tobacco.**

"It is essential to discipline that convicts should not be employed in the same parties and on the same works in association with soldiers and civilians. When convicts are continually associated with the above-mentioned classes it is simply impossible to prevent traffic and other irregularities of a grave description. Moreover, with a little management, there is not the slightest occasion for this admixture. **Works.**

"The Royal Commissioners in their report of the 20th June 1863 recommended that . . . "the principle should be laid down that the convict department in the execution of public works should stand to other departments of the government precisely in the position of contractors; and that the Admiralty or other department for which work is to be executed should give precise instructions and specifications with respect to it to the authorities of convict prisons, and the latter should have power,

* Potage (*pron.* Potâhé) is a mess of stewed beans with a little oil and garlic, pepper and salt, &c.

PART I.

"without being in any manner interfered with, to carry on the work in the manner they might judge best for the discipline of the convicts."

There would be no difficulty in carrying this recommendation into effect.

"For a portion of the last year there were no less than 16 parties of prisoners employed on the various works at the same time, and even at the present moment there are 10 parties, exclusive of those necessarily employed in the prisons and at the hospital.

"Reason and the public interest would equally decide against such a system as this, for there is no doubt that the most profitable employment of convicts is *in large masses*.

"I further beg leave to call attention to the disparity in the number of officers to prisoners, comparatively with the prisons at home.

"The proportion in England, taking the average of the three public works prisons analogous to this establishment, is 16·14 per cent.

"At Gibraltar, with a greater number of detached parties, and with increased anxiety, labour, and risk to the warders, the proportion is 11·11 per cent.

It is most desirable that the prison in this respect should be put on the same footing with those in England.

"I would beg leave to suggest that the stewards, clerks, schoolmasters, and dispenser and fitter should, as prison officers, wear a uniform dress.

"In all future promotions, and in filling up vacancies, I think it would be desirable to give these individuals a more fixed and definite status in the prison.

"The steward of course would retain his present position.

"The chief clerk and senior schoolmaster would rank with and next below the chief warder, and wear a similar uniform.

"The dispenser, fitter, and the clerks and schoolmasters of the 2nd class as principal warders, and those of the 3rd class as warders.

"I think it also most desirable that the superior officers, when on duty in the prison, should wear a uniform.

"Lastly, I would beg leave to recommend, as an object of the greatest importance, the establishment of a prison officers' savings bank, for the benefit of the officers of the establishment."

On this the Governor observes, that—

"No doubt the place is confined and does not admit of the separate system being carried out. The situation at present is outside the walls, viz., at the foot of the escarp on one side and the water of the dockyard on the other. This site has its advantages of comparative isolation, and there are many objections to any other situation within the walls. I think with Captain Blair that authority should be granted for enforcing penal discipline for nine months of the first portion of their sentence, for prisoners convicted at Gibraltar; and also that convicts should not be employed on the same works in association with private soldiers and civilians."

It must be held that, whatever may be the difficulty of obtaining another site, the present site ought not to continue to be used, since it will not admit of separation.

And, with regard to the advantage which the present site has for isolation, it is to be observed that this advantage is nugatory during the hours of labour at public works distant from the prison, and during the other hours not only is of much less importance than separation, but might be easily compensated or replaced in another site by a few additional watchmen.

Lastly, the prison, when full, allows no more than 176 cubic feet per head in the wards, and it is admitted that on the present site the building cannot be enlarged. This of itself would be nearly conclusive against continuing anything like the present number of prisoners on the present site, and it would be cheaper to remove the whole establishment than to maintain this together with a second establishment for the surplus.

Flogging is in use in the convict prison to the extent of from 24 to 50 lashes for serious prison offences. The effect is stated to have been good, with only two or three exceptions.

The cost per head on the average of inmates in the convict prison has been—

	£	s.	d.
In 1860 - - -	31	9	3
1861 - - -	43	11	3½
1862 - - -	35	13	4
1863 - - -	29	1	11½
1864 - - -	31	12	6½

It is not stated whether these amounts represent the gross cost, or the net cost after allowing for the value of labour on the public works. Apparently they represent the gross cost. The funds are provided by an annual parliamentary vote.

Western
Australia.

2. *Western Australia*.—The convict establishment maintained by the Imperial Government consists of a principal convict prison at Fremantle, a subsidiary prison at Perth, and seven dépôts distributed over the country. Collectively they have contained from 1,000 to 1,780 prisoners, of whom the great majority have been convicts from England, or military convicts from British India. There are also received local criminals sentenced by colonial courts to penal servitude for three years or more, or to simple imprisonment, the

colony paying a shilling a day per head towards their maintenance. This arrangement is condemned by the Comptroller General in no measured terms; but the Governor thinks that there is no sufficient reason for the condemnation, and observes that the appropriation for imperial convict purposes of the large prison at Perth belonging to the local government rendered it necessary to make the changes referred to by the Comptroller General.

The Fremantle and Perth prisons appear to be structurally sufficient, except that the cells are too small and not numerous enough. The depôts are unsuited for their use as prisons, and are in fact merely rough barracks for convicts employed in country districts.

From the nature of the labour (public works), as well as from the character of the buildings the prisoners are in all cases associated by day. Silence is not required. There is no merely penal labour nor any scale of labour. The diet is high.

“Special remission of sentence cannot be granted except by the Governor. Ordinary abridgments of the term of imprisonment are granted in accordance with the regulations for the time being of the Secretary of State, which define the proportion of time to be served by prisoners before receiving a ticket-of-leave. No returns showing any connection between remissions and re-committals exist. The total number of probation and colonial prisoners received since the formation of this into a penal colony up to the end of 1864 has been 8,175, of whom there were remaining in custody at the same period 1,168, thus showing 7,007 discharged on ticket-of-leave. The whole number of re-convictions for the entire period is 2,428; this would give an average of about thirty-five (35) per cent. on the total number of discharges; but as on the one hand the number of re-convictions include many prisoners who have been several times re-convicted, and on the other hand the number of ticket-of-leave holders (from which the class is taken) has from time to time been reduced by conditional pardons and expiry of sentences, this average is only an approximate one. It should not be lost sight of, that although this proportion appears a large one, yet the great bulk of the re-convictions are for offences of a mere disciplinary character, involving no transgression of the criminal law.”

The mark system established in Western Australia in 1858 has been freely praised and imitated. It was expressly approved and recommended for adoption (with some modifications) in this country, in 1863, by the Commissioners appointed to inquire into the operation of the Acts relating to transportation and penal servitude. (Report, paragraph 40.) The evidence in its favour given before the Commissioners was strong. This system was, notwithstanding, wholly abolished in Western Australia in October 1865, and reformation is not now attempted except by the ordinary discipline, by schooling in the case of Fremantle, by religious services at Fremantle and Perth, and by the granting of tickets-of-leave according to a fixed scale. The change is not even mentioned in the Comptroller General's report of February 8, 1866, and no reasons are given or remarks made by him in the answers to interrogatories. The resident magistrate of the Bunbury District (Mr. Eliot) regrets the discontinuance of marks, which (he says) appear to him by far the best method, and according to his experience one which worked remarkably well. So the superintendent of the convict establishment says (Report, Jan. 1, 1866): —“Although, undoubtedly, very many prisoners who are both idle and ill-conducted, some through the softness and good nature of the officer in charge of them, some through his want of moral courage, some through his want of judgment, even obtained the highest rate of marks to which they were technically eligible, and, on the other hand, through perversity of disposition or incapacity of judgment, an officer in charge of convicts on the public works may have sometimes awarded to a prisoner a lower rate of marks than his conduct or industry deserved, I think the mark system had a beneficial action generally on the conduct and industry of the main body of the prisoners, although its mean genuine beneficial action was very small in comparison with that which most theorists would expect, and with the expectation of those who first proposed it.”

The Comptroller General appears not to visit some of the depôts very frequently. At York he visits about two or three times a year, at Yooday twice a year, at Mount Eliza about once a month, at Perth prison about once a week. The visiting magistrates ordinarily visit the depôts weekly.

Flogging is inflicted only at Fremantle. As many as 100 lashes are “frequently inflicted” for prison offences. The usual effect “undoubtedly is good.”

On the 31st December 1865 there were 1,452 convicts in confinement, of whom 53 were local and 1,140 imperial convicts, 259 ticket-of-leave men recommitted by magistrates for breach of conditions.

There were 1,479 convicts at large on tickets-of-leave, of whom 1,347 were in private service, 32 in hospitals, 100 out of employment.

In a population of 20,279 persons, there were, in 1865, 3,434 convictions, of which 526 were for serious offences, but the great majority for drunkenness and minor offences.

Discontinuance of the mark system in 1865.

PART I.

Cost of
penal
settlement
in Western
Australia.

In 1865 there were landed in Western Australia, from England, 556 convicts. The cost in 1865 of 1,391 prisoners and ticket-of-leave men in prisons and depôts, and of the supervision of 1,347 ticket-of-leave men in private service, was 78,149*l.* 9*s.* 2*d.*,* of which over 13,000*l.* was for the police and magistracy. There was a further expenditure of 31,819*l.* 1*s.* 2*d.* for the military, making the total 109,968*l.* 10*s.* 4*d.* This total, divided amongst the convicts in confinement, gives 79*l.* as the cost per head for the year; but if distributed also over the ticket-of-leave men in private service gives a cost of 40*l.* Allowing for that part of the general expenses which belongs to the ticket-of-leave holders, it may be calculated that the proper annual cost of each convict whilst in confinement is about 55*l.* To this must still be added the cost of transportation. The gross average cost per head of the convicts in all the convict prisons in England in 1865 was 32*l.* 16*s.* 4*d.*

Inefficacy
of the
discipline.

With this disproportion of cost may be compared the general character and effect of discipline, as stated by the superintendent of the convict establishment at Fremantle. "The discipline and general treatment of the prisoners here are so gentle and humane; their bodily welfare is so well attended to; the physical labour exacted from them is so moderate; in fact, their physical condition in all respects, in comparison with that of the honest free labourers in every country, even the most prosperous ones, is so good, that they have little motive to resist the necessary and salutary rules of the service; and their general external conformity to the prison regulations necessarily implies no more than ordinary worldly prudence on their part, and ordinary vigilance and firmness on the part of the officers who are placed over them. On the part of the prisoners, I apprehend that their prison good conduct seldom springs either from remorse for the criminality of their former lives, or from any desire, much less any steady resolution, of amended life in future. * * * A system of treatment which shall make imprisonment an object of terror to the evil doer must be very different from anything which has prevailed in the convict prisons of the British Government of late years."

Tasmania.

3. *Tasmania*.—The penal establishment at Port Arthur is partly imperial, partly colonial. It comprises a lunatic asylum and an invalid pauper asylum, besides the convict department. On December 31, 1865, its inmates were—

	Convicts.	Lunatics.	Paupers and Invalids.	Total.
Imperial - - - -	139	90	187	416
Colonial - - - -	360	3	62	425
	429	93	249	841

All the prisoners are for long terms of transportation unexpired, or of penal servitude or of imprisonment under sentence of colonial courts, and all but 20 out of 492 have been more than once convicted.

There is a distinct department, called the separate prison, to which the worse offenders are first sent for from six to 15 months, and in which the system is highly penal, and separation and silence are rigorously maintained by day and night. Upon the termination of this stage, the prisoners may rise first to gangs in heavy irons, next (if well behaved) to gangs in light irons, and, finally, to a class the best members of which are eligible for employment as officers in the prison or on the works. Each class wears a distinctive dress. During the stage of separation the prisoners work in their cells and take exercise in separate yards; in the later stages they work in association. There is a great variety of industrial but no merely penal labour. In the separate department schooling is compulsory, in the general prison optional. The diet is very high, and not sufficiently graduated.

Abridgments of sentence are granted of from one-sixth on sentences of three years to one-third on sentences of 15 years for good conduct; extensions of sentence for not over 18 months may also be directed by the justices for certain offences. Tickets of leave are not now granted.

There is a system of time and money credits, "averaging from $2\frac{1}{4}$ days and 1*s.* to $\frac{6}{18}$ of a day and 2*d.* a week," but no further details are given.

With regard to the effect of the abridgments and credits it is said, "The results (of abridgments) have been very satisfactory, particularly since the money award system came into operation, as only a small proportion of the prisoners discharged have been

* The cost of the establishments cannot be given severally. The commissariat accounts are general, not in detail.

“ received again at Port Arthur under sentence.” And, again, “ prisoners who evince a disposition to be idle by not performing a full day’s labour are placed upon half rations until they show amendment, when their ordinary diet is restored. This regulation has only been in operation during the last three years, having been with the money earnings system introduced by direction of His Excellency Colonel Gore Browne; the former has checked promptly and effectually the attempts to evade work previously so prevalent amongst the convicts, and that too without their incurring the more severe punishments of solitary confinement or hard labour in chains. The money earning system has done more to raise hope in the minds of the prisoners whilst undergoing their sentences than any reward formerly in existence, and has also been the means of enabling many of the liberated convicts to emigrate to other colonies, and thereby to remove from their old companions in crime.”

But with these opinions must be compared the list of recommittals. “ Of 492 prisoners now at Port Arthur there have been convicted at superior courts—

once only	-	-	-	20
more than once, less than three times	-			199
more than twice, less than four times	-			165
more than three times	-	-	-	108
				492.”

On this Governor Browne observes, that the very large proportion of prisoners convicted more than once, “ may in one sense be considered satisfactory, as when the generation of criminals who were transported from England have passed away, it may be hoped that crime will be very much diminished.”

The net annual cost per head on the average of the last five years (to 1864 inclusive) has been 34*l.* 4*s.* 4½*d.* For the last four years it has been regularly diminishing, and is now nearly 3*l.* less than in 1861.

The Comptroller General writes that a new code of rules is about to be introduced.

It is evident that the system, well carried out as it is, fails to deter the class of criminals who are the most dangerous. The Governor, after saying that reformation has been very rare indeed, adds that perhaps it can hardly be looked for, considering the class of prisoners now sent to Port Arthur, and that “ under these circumstances it is but just to the public that hardened offenders should be made to diminish the cost of their maintenance as much as possible, without impairing the efficiency of the establishment.” But it is a question whether the exclusive employment of industrial labour does not impair the efficiency of the establishment, and whether in addition to the initial separation the deterrent effects of strictly penal labour and a lower diet ought not at all costs to be tried.

This question apart, the convict prison of Tasmania seems to be one of the best managed of colonial prisons. It is beginning to be regarded as a model in other Australian colonies, and it may become of great service in this respect. (*See Annual Report, 1866, p. 33.*)

Considering the character of the prisoners it is remarkable that flogging has for many years been found unnecessary.

COMPARATIVE TABLE V.—IMPERIAL CONVICT ESTABLISHMENTS ABROAD.

Name of Colony and Prison.	a	b	c	d	e	f	g	h	i	j	k
	Highest and lowest annual daily average inmates in 5 years.	Gross annual cost on average of 5 years.	Net average annual cost.	Amount of cubic space in cells (or per head in wards) in feet.	No. of officers, male and female, on duty within this prison.	Hours of labour.	Kinds of labour.	Diet equivalents, farinaceous or vegetable, animal, and total, for males at "hard labour."	Hours of sleep.	Known recom-mittals per cent. on the total committals.	Annual deaths per cent. (a) on the total committals, or (b) on the daily average.
GIBRALTAR:											
Convict Prison	-	£ 22,927	—	176-352 (wards)	80 (?)	8-9	Public works	201. 40. 261	8-9	29. 1	*529 on (b).
WESTERN AUSTRALIA:											
Fremantle	-	313-1055	—	238-448	33 (?)	8½-9½	Public works and industrial.	207. 98. 354	9-10	30 of all the ticket men.	2· 6 in 1864 on (b).
Perth	-	24-159	—	240	4 0	9	Public works	Do.	9-10	—	3 in 5 years.
Albany	-	9-81	—	343	4 0	8-10	Roads, &c.	Do.	8½	—	—
Bunbury	-	7-73	—	336	8 0	9	Public works	Do.	9-9¾	—	—
Champion Bay	-	15-62	—	264-601	6 0	9-10	Do.	Do.	9-10	—	1 on (b).
Depôts	-	18-103	—	530 (in wards)	2 0	9¼	Do.	Do.	8¾-11	—	2 in 5 years.
Mount Eliza	-	1-86	—	450	2 0	9	Do.	Do.	8¾-11	—	1 in 5 years.
Yooday	-	3-54	—	400 (in wards)	2 0	9	Do.	Do.	8½-11	—	1 in 5 years.
York	-	18-107	—	—	1 0	8½-9½	Do.	Do.	9-10	—	14 in 5 years.
TASMANIA:											
Port Arthur	-	534-588	—	225-1,344	26 0	7¼-10	Industrial and public works.	273. 84. 399	8¾-10½	80	4· 1 on (b).

SUMMARY OF THE COLONIES.

Different groups of colonies lie under different special conditions, which must be taken into account in considering their penal administration.

PART I.

West Indian Department, with Mauritius.—The characteristic difficulties of the colonies included in the West Indian department are, the complications produced by immigration from Asia, and by the social state of the native coloured population, uneducated, and at times unsettled by severe droughts. Of the former difficulty Mauritius, of the latter Jamaica and Antigua, present the most conspicuous examples.

West Indian colonies.

The greatness of the social difficulty in the West Indies may be illustrated by a statement of the Provost Marshal of Antigua. "The habitations (he says) of the mass of the peasantry of this colony are small, unfloored, filthy in the extreme, badly ventilated, and not secured from the weather; and the labourer himself has during the prevalence of the late drought (extending over a period of nearly two years) been fed on food insufficient in quantity and unwholesome in its nature, and he has been obliged to drink the foul and stagnant water to be found in the pools and ponds in the vicinity of his hut. His poverty often precludes him from receiving medical aid for himself and family, and if he succeeds in obtaining a certificate from a clergyman enabling him to procure gratuitous medical assistance, he is still without the means of getting nourishment during his illness and convalescence. His clothing is scanty. * * *

"The labourer so circumstanced undoubtedly finds himself in a much better position if for a serious crime, or for a petty offence, he is committed to gaol. Although he may at times be confined in a cell with many others, not giving him more than 107 cubic feet, yet that space is, perhaps, in many instances, more than he had in his own hut; his cell is scrupulously clean, dry, and thoroughly ventilated, his food is greater in quantity and more wholesome than he procures for himself at home, he has an abundance of good and wholesome water, and the rules of cleanliness are strictly enforced upon him. In the event of his illness he is attended by an experienced surgeon, who has full power to order suitable nourishment and stimulants for him during illness and convalescence. It is not therefore surprising to find, as is actually the case, that notwithstanding the overcrowding of the cells, the prisoner generally leaves the gaol, especially if imprisoned on a long sentence, in much better health than he entered it. It is also worthy of notice that the death-rate for the gaol has for the last five years been considerably below that of the island generally for the same period, as may be seen by reference to the reply to Interrogatory No. 31.*

"It is, however, to be regretted that these advantages attending imprisonment, operating with the evils of the associated system, remove almost entirely the deterrent influence of punishment, more especially as in consequence of the low moral tone of the mass of the people of this colony, imprisonment for felony is not looked upon as a disgrace, and a convicted felon, on his discharge from prison, immediately resumes his former associations and employment."

On the other hand, the West Indian colonies have had the advantage of an Imperial Act (1 & 2 Vict. c. 67.) for the government of their prisons. The provisions which relate to the authorisation of rules, and vest in the Governor of the colony the power to suspend and dismiss officers, have been very beneficial, and by the aid of this Act much has been done within the last 20 years for the improvement of prisons throughout the West Indies. Sufficient use, however, has not been made in some colonies of the valuable sections which authorize the appointment of inspectors, and the disqualification by the Governor of any prison which may be certified as unfit for use. A single annual survey by an unpaid and irresponsible inspector does not answer the intention of the Act, and there are some prisons plainly unfit for their purpose which, notwithstanding, are still permitted to be used. The closing of Montego Bay Prison in Jamaica in 1866 appears to be the only instance of action under this section.

The great increase of crime in the West Indies of late years is commonly attributed primarily to the distress produced by droughts.

* As the prisoners are generally young, or in the prime of life, in West Indian prisons, the death-rates would be too high if they were not considerably below those of the islands generally.

PART I.

North
American
colonies.

North American Colonies.—The social difficulties of the West-Indies have no counterpart in the North American colonies. In these the principal difficulty and cause of inefficiency in prisons is in the great powers of the county or municipal authorities, not effectually controlled by inspection. Canada has set an example of partial reform in this respect, and the inspectors have been able to make great improvements in many of the county gaols.

In Canada crimes increased up to 1863, but 1864 shows a considerable decrease, especially in the greater crimes, such as murder and arson. It is thought that the American war, which indirectly increased crime in those West Indian colonies that were within the influence of blockade-running, relieved Canada by drawing off the most violent characters.

The proposed plan of federation excludes prisons from federal control.

Australian
and eastern
colonies.

Australian and Eastern Department.—A fixed criminal population, the remains of transportation, fills the prisons of the older Australian colonies. It may be hoped that this criminal generation will not renew itself, and that in a few years the now crowded prisons will be relieved. In the meantime the annual amount of crimes is no index to the true social state of the population.

Local crime is stationary in Western Australia. In Tasmania convictions decreased in the years 1855–1864 from 345 to 122, that is, from 1 for every 203 persons to 1 for 750. In South Australia they decreased in the years 1859–64 from 281 to 199, that is, from 1 for every 437 persons to 1 for 706.

Imperial
penal
establish-
ments.

Imperial Penal Establishments.—The convict prison at Port Arthur in Tasmania is in many respects a model. As Tasmania no longer receives new convicts, the numbers are diminishing, and this prison will soon cease to be imperial. The convict prisons of Western Australia appear to be only in a low degree penal. The great defects of the convict prison at Gibraltar, which render it an unfortunate example, are detailed elsewhere. The reasons for which the Commission of 1863 on Transportation and Penal Servitude recommended that this establishment should be broken up, have lost none of their force in the last two years.

The results of a comparison of the cost of convicts in these distant establishments with the cost of convicts in prisons in this country are important. The net cost of each convict per annum in the convict prisons in England was in 1865, 31*l.* 12*s.* 4*d.*; the gross cost, 32*l.* 16*s.* 4*d.* At Gibraltar, the actual expenditure in 1864 was 31*l.* 12*s.* 6½*d.* per head, exclusive of the expense of transportation; in Tasmania, the net annual cost per head on the average of five years, ending with 1864, was 34*l.* 4*s.* 4¼*d.*; in Western Australia, the “actual expenditure” for 1865 cannot be calculated at less than 50*l.* for each convict in confinement, exclusive of the cost of transportation. (See *supra*, “Imperial Penal Establishments in Colonies and the statement of Convict expenditure, p. 63.”)

It may be questioned whether the separate office of Comptroller General is not unnecessary in Tasmania. The duties of the office appear to consist merely in receiving ordinary reports and making formal orders upon them. The Comptroller General visits the single convict prison only twice a year.

General
description
of the
prisons.

The defects of the prisons in the several colonies have been stated in detail, and they cannot well be generalised. So far as a general statement is possible, it may be said that the central prisons are good, but the local prisons very bad, as if the former kind had exhausted the humanity and powers of organization of the authorities; that the primary conditions of security and sanitary sufficiency are seldom satisfied, at least in the local prisons; that separation, even at night, is almost unknown in local, hardly ever complete in central, prisons; that of strictly penal labour, by crank, wheel or shot-drill, hardly an instance can be found; that there is no proper supervision by inspectors qualified by special knowledge, armed with sufficient powers, and responsible; that, mainly in consequence of the absence of such inspection to control the diverse action of local authorities, there is a general want of uniformity of penal system within each colony, hardly two prisons of the same class being similar in discipline or severity, unless by the absence of both; and that the evil effects of association in prison are commonly aggravated by an imperfect organization, which leaves prisoners of the worst classes in local prisons, instead of providing for the whole of them in central prisons. The lesser defects of too high diet, too long sleep, fewness of officers, and the like, are perhaps less universal than those which are capital.

Among the better prisons may be named Port Arthur in Tasmania, Corradino in Malta, Glendairy in Barbados, the Penal Settlement in British Guiana, Brisbane in Queensland, Dry Creek in South Australia, the Provincial Penitentiary of Canada, and

perhaps that of New Brunswick. A considerable number of other prisons have been much improved of late years, and although unlikely to have much effect in diminishing crime, may perhaps be trusted not to increase it; but there are many of the local prisons to which even this negative virtue must certainly be denied, which remain wholly unreformed, and which are a perpetual disgrace to the colonies which maintain them. Not a few may be found in the schedule (*infra*,) which combine the useless inhumanity of destructive sanitary inefficiency with a total want of deterrent punishment. Of several the wards might properly be described as paved with bodies, and cases have been mentioned above to which this expression is inadequate. Vermin, immorality, and sickness, light or no labour, excessive diet, unlimited sleep, unrestrained license of all characters and ages, sometimes of both sexes, to corrupt and be corrupted, with liberty of escape which the prisoners seldom care to use, form a description which may seem exaggerated, but of which only a small part rests on inference.*

The toleration in many colonies of so great deficiencies is to be attributed (to use the words of a Governor) "not to any wilful neglect on the part of the Executive Government or of the Colonial Legislature, but rather to the unavoidable want of a full comprehension of what institutions of this nature ought to be, and of the methods by which the penal discipline, reformatory systems, and other improvements of modern science should be introduced." It is doubtless partly attributable to ignorance that the deficiencies were so great as upon inquiry they prove to have been.

The views expressed in the Secretary of State's circular have been generally and readily admitted by colonial authorities, and such admission, however qualified in some cases by protestation of present inability to find the means for effectual reform, is proof on the one hand of recognized inefficiency in the now prevailing system, and on the other, that the colonial authorities accept the endeavour to impart to them the painfully acquired results of this country's experience, in the spirit in which it is made.

* It is to be feared that some prisons are even worse than appears from answers made by the persons who are partly responsible for their condition. In some of the Canadian prisons most strongly condemned by the inspectors, the answers to interrogatories stated that there were no defects.

SCHEDULE OF PRISONS.

WEST INDIAN DEPARTMENT.

PART I.

1. *Jamaica.—General Penitentiaries.*—The number of prisoners, male and female, reached 575 at one time in 1864. There are 331 ordinary cells, 300 of which are by much too small. 45 “licensed prisoners” appear to be provided for elsewhere. Further deducting 20 for those in hospital or in punishment cells, and eight females in wards, there remain 171 male prisoners in association in wards, with an average of only 358 cubic feet per head. There are apparently no baths except for the hospital wards.

There appears to be little, if any, classification. There is no strictly penal labour, but a treadwheel is to be imported. Remissions of a quarter of first sentences for more than 12 months may be granted, but otherwise there is no attempt at reformation. There is only one schoolmaster for nearly 600 prisoners. The hours of sleep are too long. There is no statement of the number of hours of labour, nor is there apparently any rule or law on the subject.

There are confined here some imbeciles and maniacs, who should be removed.

The following summary of defects and difficulties is taken from the answers to interrogatories:—

“The main defect in the structure of the Penitentiary is the want of proper cell accommodation. There are only 320 separate cells, and about 600 prisoners, consequently a large number have to be put into wards containing from 10 to 20, according to size, which is very objectionable, and abuses arise in consequence.

“The Penitentiary is also deficient in nearly all the requirements for the classification of prisoners as required by law. There is no means for keeping the military and naval prisoners separate from the civil prisoners.

“There are no separate cells for prisoners in whose cases sentence of death has been commuted to imprisonment for life. The only separation of House of Correction prisoners is at meal times and at night.

“There is no separation of juvenile prisoners except at night.

“That the discipline of the Penitentiary suffers from the above causes there cannot be a doubt, and until the House of Correction prisoners and juveniles, also the military and naval prisoners, are kept apart from the others, the Penitentiary will not become what it was intended for.

“It also militates much against the discipline of the prison that there is no really hard labour in it. Breaking stones or making bricks is not a labour that, however hard a man works at it, becomes what it is intended for, ‘penal labour.’ This cannot be reached by industrial or productive labour, as is stated by Lord Carnarvon’s Committee, and therefore a machine must be found to enable us to enforce the law. I am glad to observe that the island Government is about to import a treadmill of the most improved construction. This will have a most beneficial effect on the discipline of the prison, as it will enable real hard labour to be enforced. Another great and serious drawback to carrying out good wholesome discipline in the Penitentiary is the want of proper subordinate officers to place in charge of the gangs. The class of men we get for these duties seem to have not the slightest idea of what is required of them. They are either much too severe, or more frequently utterly careless in the way they perform their duties, and permit the prisoners to idle and behave most improperly. The wages paid is not very large (about 14s. a week), but I do not think if it was higher that we could get the proper sort of men in the colony, and to import them would be very expensive. Yet I cannot but think a great deal of benefit would accrue to the prison, if even half a dozen good men could be imported as subordinate officers, and that the increased expense would be amply repaid by the better discipline of the prisoners, and by the increased amount of productive labour.

“The sanitary state is as perfect as can be (see reply, interrogatory 31). Of those who died, the greater number were admitted into the prison whilst suffering from the disease which notwithstanding every care proved fatal.”

Surrey County Gaol.—There is neither sewerage nor drainage. The prisoners are not classified. In the case of the debtors the sexes are not separated. Twelve hours are allowed for sleep. The diet is too high. The yard for the male prisoners is too small.

Middlesex County Gaol.—The building is out of repair. There are no urinals, baths, or lavatories. The prisoners are imperfectly classified. Twelve hours are allowed for sleep. The yard should be subdivided by walls, and a gateway should be made.

Cornwall County Gaol.—The building is out of repair. No sewerage or lavatories. Urinals condemned by the physician. Twelve hours sleep. Convicted prisoners are associated with those who have not been tried. Solitary cells are wanted.

Morant Bay District.—The sanitary state appears to the keeper to be very unsatisfactory. Thirty-seven prisoners occupy 18 cells of 466 cubic feet each during 13 hours of sleep (—so the keeper, although he makes 13 hours of labour also, including reliefs).

Montego Bay District Prison. (Females.)—This prison is so defective, and in so bad repair, that the inspector of prisons thinks it should be given up. 500*l.* a year would in his opinion be saved by the abandonment. The refractory cells give only 175½ cubic feet. Yet the keeper can discover no other defect than the want of a separate room for a chapel.

Stone-quarrying, apparently the only form of labour in use, seems not proper work for women.

Falmouth District Prison and Gaol.—The gaol and prison are distinct buildings, but contiguous and under the same management. This seems to be the best found and kept of the rural prisons. But it is greatly overcrowded; six cells contain less than 200 cubic feet each, and there is the usual want of penal character in the discipline. There have been 18 escapes in five years.

Inquests are not held in the case of prisoners reported by the physician as having "died under medical treatment."

The superintendent recommends that new hospital and female wards should be erected over the cells which open into the female yard.

Hanover District Prison "requires to be architecturally rearranged" to make classification according to law practicable. Untried and convicted prisoners are together.

St. Catherine's District Prison.—The space is three times too small for the number confined. The structure is bad, but health is preserved by diligent cleanliness.

Rodney Hall District Prison.—Excessively overcrowded. It seems doubtful whether even the sexes are completely separated. This is "about the most insecure prison in the island," and it cannot without reconstruction be made secure. There have been in five years three escapes from the prison, 16 from gangs.

Mandeville District Prison.—Much overcrowded. There is no separation except of the sexes. Twelve hours are allowed for sleep. The death-rate is high. There have been 21 escapes from gangs in five years.

Port Maria.—A new prison. No information is given.

Juvenile Reformatory.—No information.

Lock-ups.—The inspector of prisons calls attention to the lock-up at Old Harbour, "which requires more ventilation, and would then be a very good one," and to that of Moneague, "which has been reported on several times as unfit for a lock-up; and although a sum of money was granted to make it a proper place for prisoners, nothing has been done for it as yet."

2. *Turk's Islands*.—The existing prison has been condemned, and a new one is about to be constructed. But it must be noticed that in violation of three of the prison rules, the female prisoners have not been attended by a matron, and that (it is said) "the powers of the visitors are nominal and seldom exercised."

3. *British Guiana*.—*Penal Settlement*.—This establishment, after having long been greatly mismanaged, was reformed in 1863, and is now in a generally satisfactory state. The building is too small, but all the sanitary arrangements are good, excepting that the cells are insufficient in size, and in the old wing ill ventilated.

All convicts are subjected to a preliminary period of six months in solitary confinement, with reduced diet and shot drill. Thence by good conduct they may rise through successive stages, and at the expiration of three-fourths (or in the case of sentences from six to 12 years, two-thirds) of their sentence may be discharged on tickets of leave. Instruction, religious and secular, is provided.

The time for sleep is too long.

The amendments to the rules (so amended on March 3, 1863, upon recommendation of authorities in this country) provide that no sentence by the superintendent to corporal punishment or to confinement in the stocks, or to solitary confinement exceeding one week, shall be carried into effect until such sentence shall have been approved of by the Governor. Yet, from the answers (11 and 27) it would seem that no such antecedent safeguard is used. "The superintendent may confine a convict 28 days in solitary confinement for prison offences. The superintendent reports monthly all punishments which he may have inflicted, except in cases of corporal punishment, when he reports immediately." And again, "The sentence (of flogging) may be awarded by the superintendent, and is generally carried into effect almost immediately. The investigation of the offence is taken on oath in writing. A copy of this is sent as early as possible to His Excellency the Governor, with the surgeon's certificate."

The Prison Board and the Inspector cannot visit oftener than once a month, nor without notice, since the only means of reaching the settlement is by the regular monthly steamer.

The re-convictions are numerous.

It appears that persons summarily convicted by magistrates are detained here. They should be removed to the common gaols. Also two lunatics should be removed to the asylum.

Georgetown Gaol.—For all classes of offenders other than those sentenced to penal servitude. The sanitary arrangements appear to be not unsatisfactory, except that most of the cells are by much too small.

Most of the prisoners are separated at night, but all are associated by day. There is no strictly penal labour, though shot drill is used as a punishment.

Berbice Gaol.—For petty offenders. The cells are too small; but in other respects the sanitary state appears to be good. There have been 11 escapes in five years. About 11 hours are allowed for sleep.

Capoey Gaol.—For petty offenders. No latrines; means of ventilation defective; rooms so crowded that their floors are "one general bed," the prisoners lying for 12 hours side by side, with no interval between them. "An allowance of two feet is made for each prisoner, but it is often found necessary to give less room." The gaol surgeon objects to the use of the cells. Unconvicted prisoners are associated with the others.

The hospital room is insufficient for the requirements of this gaol.

Lockups.—These are 104 in number. The substance of all that is stated concerning them is given above (p. 11).

4. *Bahamas*.—*Nassau Prison*.—There are separate buildings for males and females. The prison for males was constructed to hold 30 prisoners. The actual minimum has been 49; the maximum at one time 111. There is no separation of juveniles and adults. The female prisoners average 12½.

Since a new prison will shortly be built, it is unnecessary to enlarge on the serious sanitary defects of the present one.

A treadwheel was formerly in use, was disused on the ground of a supposed danger of ruptures, but is recommended by the present prison committee to be used again.

Flogging is inflicted for gaol offences, and the opinion of the prison authorities is, not only that it is salutary, but that "it cannot be disused."

PART I.

Besides the principal prison of Nassau, there are a number of small prisons and lock-ups, viz.:

- i. *New Plymouth Prison*.—There is no matron to attend on the female prisoners, although the need has been urged by the police magistrate, and the gaoler's wife would be willing to serve. Otherwise, "no defect with respect to the prison or its discipline presents itself."
- ii. *Haslar Island Prison*.—Apparently sufficient for its purpose.
- iii. *Albert Town Prison (Long Cay)*.—No information.
- iv. *Inagua Prison*.—Ventilation and lighting very defective, and in course of being made worse by the erection of a wall too near the windows. Water has to be brought by the prisoners from a distance of three-quarters of a mile. There is no female attendant, though there sometimes are female prisoners. The one gaoler does not reside within the walls. The resident justice knows of no periodical reports to the Governor.
- v. *Eleven Lockups*.—No details.

5. *Trinidad*.—*Royal Gaol*.—For all classes of prisoners, untried or convicted. "The building is on the whole ill placed and ill adapted for the class of prisoners." One wing is new and good, having been built on the model of Pentonville, the rest ill constructed, inconvenient, and out of repair.

The sanitary arrangements are good, except as regards ventilation and the amount of space. When the numbers are large, cells ample only for single prisoners are crowded with four or five. In particular, the hospital ward is much too small, giving only 512 cubic feet per head on the average. Also, the female ward is "very close and offensive."

Separation is generally impossible, and classification very imperfect. There is no strictly penal labour. A treadmill was in use up to 1860, but was then taken down as having become dangerously dilapidated. Shot drill is legal, but is not used, "other punishments being found more salutary." The hours for labour are too short by one, the nature of the labour being considered, those of sleep equally too long. There is a voluntary school. Reformation is attempted by the prospect of remissions, which are apparently not granted on a sufficiently regular system, but are said to work very well.

The number of warders is very insufficient, as well for the proper service of the prison as for the custody of out-posts, from which many escapes have been made.

In connexion with the gaol are five "licensed prisons," or district stations for working parties. From these no answers have been received.

6. *Barbados*.—*Glendairy*.—A new prison, in two separate departments, one for males, the other for females, used only for convicted prisoners. The construction, arrangement, and sanitary state of both departments appear to be excellent in every respect. The death-rate is very small.

In the male prison all the prisoners are individually separated at night, and may upon occasion be separated by day. In the female department there are some associated wards. A chaplain and a schoolmaster attend daily. There is a system of probation, followed by gradations and remissions, tickets-of-leave being granted to well-conducted prisoners on a first conviction. Out of 101 prisoners released on leave only 10 have been re-convicted.

There has been but one escape in five years.

The defects are, that the hours of sleep (11) are too many, those of labour (nine) too few, and that there is no strictly penal labour. To these defects it must be attributed that the re-convictions are 55 per cent. on the total number of cases, and that the liberal outlay on construction and management fails to secure its proper reward.

It is not clear whether Rule 64 (of 1863), that prisoners sentenced by the Court of Grand Sessions to hard labour or penal servitude shall be confined and employed separately for such period (not exceeding nine months) as may be directed by the Governor of the island, is acted on in practice. The rigorous enforcement of such a provision could not fail to be beneficial. It is to be observed that the cells on the male side were constructed, with a view to such separate employment, in two compartments. That this prison has not room for all the prisoners of the class which should be confined in it seems to be the result partly of these deficiencies, partly of the bad state of the other prisons, which have no deterrent influence.

Town Hall.—For males. Some prisoners sentenced to hard labour for whom there is not accommodation at Glendairy, and all other classes, are confined here. This prison is ill arranged and much overcrowded, there being frequently less than 140, and at one time less than 121, cubic feet for each prisoner. There is no sewerage. The one cesspool is open. There are no urinals, baths, or lavatories. The cells are below the level of the ground, "which prevents sewerage and drainage and good ventilation." Their ventilating pipes are too small. The water is thought not to be good. The death-rate is enormous, considering the general shortness of the sentences, but is partly explained by the condition of many of the prisoners at committal, aged and diseased, fit only for a poorhouse.

There is schooling, and a system of tickets-of-leave, as at Glendairy, but discipline cannot be enforced "in a building in which large numbers of old and hardened felons—from 16 to 20 together—sleep in the same room, and can also hold communication with prisoners of other classes in the adjoining and opposite rooms." The prisoners work only eight hours, sleep 11½.

There have been 28 escapes in five years. The re-convictions are very numerous.

House of Detention and Correction.—For females not sentenced to hard labour. Sometimes so greatly overcrowded that prisoners have only about 140 cubic feet in wards. There is no provision for sewerage or drainage.

Debtors and untried prisoners are associated in one room (*sed qu.*), all convicted prisoners (not sentenced to hard labour) in another. Eleven and a half hours are allowed for sleep.

There is but one matron for (sometimes) over 100 prisoners.

Juvenile Asylum.—No provision for sewerage or drainage. "The latrine is situated at the N.W. angle of the north dormitory, quite separate and distinct from it; the soil runs down a deep slope into a ravine, and is washed away by the rain-fall. No urinals."

All the prisoners in this reformatory are associated, whether convicted or not. The labour is only for six hours a day. Eleven hours are allowed for sleep.

There are four hours daily of religious instruction (two being devoted to the catechism), but apparently there is no secular instruction. One hour would be sufficient for the former, and three should be transferred to the latter.

There have been 239 recommittals in five years, it is not said on what number of cases.

This reformatory cannot be expected to be of much service until more separation, more regulated discipline, and proper secular instruction shall have been introduced.

House of Correction for Males. District C.—For adult male prisoners sentenced to hard labour. Sometimes empty, sometimes overcrowded. No provision for sewerage or drainage. No urinals, baths, or lavatories. The basement is ill ventilated.

There is no separation. There is too little labour and too much sleep. There is only one warder for (sometimes) 70 prisoners.

House of Correction for Males. District D.—For relief of the Town Hall Prison. Prisoners of all classes, except debtors, are confined here.

There is no provision for sewerage or drainage, no bath or lavatory. The wards are often overcrowded. There is no possibility of separation. The prisoners work less than eight hours a day, and sleep for more than 11. There is only one warder.

7. *St. Vincent.—Common Gaol.*—For the confinement of all classes of offenders, and also of lunatics. The space in the wards is commonly sufficient, and there is a separate building to which any unusual surplus can be transferred. The drainage consists of two open gutters. There are no baths or lavatories, and the men wash (when they do wash) at the pump.

From the construction of the building individual separation is impossible, but classification might be carried further. Only the sexes are separated, while, apparently, convicts and untried prisoners, criminals and debtors, juveniles and adults, lunatics and sane men, are all associated. There is no strictly penal labour, and the hours of work are too short. Only six bushels of broken stone are exacted from adult males. There is a system of remissions of about one-sixth of the sentence, but otherwise no attempt is made at reformation.

There have been 27 escapes in five years.

In the opinion of the Provost Marshal the most urgent wants of the prison are, a hospital, baths and lavatories for males, and the removal of lunatics. It would seem that some at least of the large wards of this prison might be divided into separate cells.

8. *Grenada.*—In the existing gaol, which is very old, and is dilapidated beyond the possibility of repair, the space per head is in some cases no more than 196, and on the average only 330, although the rules require 1,000. The sanitary state is in other respects extremely defective. Escape is easy. There is not separation even of adults from juveniles, much less of individuals. There is no strictly penal labour, the hours of labour are too short, those for sleep excessive. There is no reformatory system. The Administrator speaks in high terms of the services of the Provost Marshal in preserving order and discipline under these disadvantages.

The plan recommended by the Commissioners, and apparently accepted by the House of Assembly, does not provide enough cells. The numbers have ranged from 35 to 60, but only 37 cells are proposed.

The police lock-ups (with the exception of a new one at St. Mark's) are generally in bad order. Until June 1865 it was usual at Fort George to lock up men and women in the same cell. In none are there any female officers, in none any latrines, urinals, or other provisions of the kind, except such as the police may be disposed to make. Prisoners appear to be often detained without authority in these lock-ups more than the 24 hours limited by the Act No. 89, s. 30. The sergeants of police complain of unreasonable delay in the payment of charges necessarily incurred by them for the maintenance of the persons detained.

9. *Tobago Gaol.*—The number of cells is not sufficient for individual separation, except when the numbers are unusually small. There are no lavatories.

There is no strictly penal labour. There is a reading-class once a week, but otherwise reformation is not attempted. The hours of sleep are very excessive, those of labour too short. The reconvictions are very numerous.

It would seem that a small addition would fit this prison for the complete separation of prisoners.

Twelve bushels only of broken stone are required per diem for males, six for women.

There have been 11 escapes in five years.

10. *St. Lucie.—Castries Gaol.*—For all classes of prisoners. It is too small, not adapted for separation, and in parts ill ventilated. The only bath is a cistern in the yard. No urinals.

The labour is on public works, roads, &c. There is no scale of labour. No system of reformation.

There have been 31 escapes in five years, chiefly through want of enough warders.

A dangerous criminal lunatic disturbs the discipline. He should be removed to the asylum.

This prison is well visited by superior authorities.

The Provost Marshal suggests that the gaoler should be relieved from the trouble and responsibility of acting as steward to the gaol, poorhouse, and asylum; that a separate building should be provided for debtors; that some waste land at the back of the gaol should be walled in, so as to prevent communications from the outside; and that the prisoners should be arranged in classes, as follows, viz., "first, a class to be worked entirely within the walls, and who, by hard labour and other disciplinary measures, should be made to feel the hardships of penal servitude as much as possible. A second class should be composed of those who are sent to labour outside the gaol upon the public works. The third class might be a draft from the second class, who have shown by their good behaviour in gaol and previous character that they merit the mercy of the Crown; these I would make into a peregrinary road gang, as is done in Australia, and paying their superintendents and food out of the road funds. I would set them to the repairs of the roads of those parts of the colony which are now never or seldom

"reached by reason of their remoteness from centres of population, or topographical difficulty. Then from this third class, according to their fidelity and success as a road gang, I would institute a fourth or ticket-of-leave class, the tickets revocable on the slightest backsliding or renewal of crime. The objections recently raised in England against tickets-of-leave do not apply here. I would never pardon unconditionally, as under the present system we are forced to do. I think that the division of convicts into four classes above would be a great incentive to good behaviour, and I respectfully submit these crude ideas as an attempt only to improve the system of management of our criminal prisoners."

11. *Antigua*.—The building is part of an old barrack, and is not fit for the accommodation of more than 50 prisoners, some in wards, some in separation. The actual daily average in 1864 was 148, and at times there were 206 prisoners, as many as 14 in a cell, with no more than 107 cubic and 10½ superficial feet per head. The ventilation of the lower northern ward is impeded by perforated zinc sheets over the windows. There is no sewerage or drainage. For the whole number of prisoners there are but three latrines, serving also as urinals. "The arrangements as to beds cannot be worse." There are generally only two beds to three prisoners, sometimes only three to seven.

There is no attempt at separation; even classification is imperfect. Juveniles are associated by day with adult untried prisoners, against the 88th regulation. There is no strictly penal labour, a treadwheel having been sold as old iron by a former Governor. The hours for sleep are excessive. There is a Sunday school for an hour and a half, but only on three Sundays in each month (inspector's report), though the regulations mention no such limitation. There is no other attempt at reformation beyond the occasional remission of a tenth of the sentence, and this produces no good result, for the released prisoners are commonly soon recommitted.

There is only one matron to (sometimes) 26 female prisoners.

The proportion of reconvictions is high, and there is a general consent that the present system has no terrors.

The Provost Marshal says: "I would strongly urge the adoption in this gaol of the separate system, and this I think can be effected with no very considerable addition to the present building. The gaol contains 52 rooms and cells, 28 are used as sleeping and four as punishment cells, 11 for officers' quarters, eight for store rooms, bathing rooms, &c., one as a hospital, and one as a chapel. The north wing of the building does not form part of the gaol, but is used as a hospital for the poor house, although detached and at a distance of about 200 yards from it. This wing might at once be taken over and converted into cells, and a building erected on the eastern side of the prison, the upper floor to be appropriated for the gaolers' quarters, and the lower for sub-officers and for stores, and a convenient chapel should be built apart from the cells. These arrangements, and the division of the larger cells into two, would give about 70 cells for the main building, and the northern wing would afford from 30 to 40 more. These, with the addition of two new and separate wards, one for the females and the other for juvenile offenders, would be amply sufficient for the carrying into effect of the separate system."

While the Provost Marshal thus thinks that association is the root of the evil, and that it is practicable to provide for separation, the Governor on the other hand is of opinion that the negro would prefer even solitary confinement to hard labour, and should be worked on the wheel, and that the financial condition of the colony does not at the present time justify the expenditure necessary to secure better classification.

12. *St. Kitt's—Basseterre Gaol*.—Sewerage and drainage defective. No lavatory. Space per head insufficient. There is no separation or strictly penal labour, nor any reformatory system, except that extra work appears sometimes to be made a ground of remission of sentence. Twelve hours are allowed for sleep.

The prison seems not to be healthy. Diarrhoea and low fever prevail, and the number of sick in one day (in 1864) has reached 15.

The answers to interrogatories say that, "the discipline is not so well maintained as it should be."

13. *Nevis—Gaol*.—No sewerage or drainage. There is but one bath, "attached to the well." Eight cells are too small.

The prisoners are generally separated at night. The only labour is on roads or in breaking stones. The regulation amount of stones is never broken, though at St. Kitt's the same amount (16 bushels) appears to be often exceeded by a fourth part.

Only two male officers are mentioned, although by the rules three are to be appointed by the Provost Marshal.

14. *Virgin Islands*.—A small prison, serving also as a lunatic asylum. The defects are, that there is no sewerage, that the prisoners are not kept separate, though apparently they might be, that the labour is too light, the hours for sleep excessive, and the diet too high. Otherwise the prison seems to be as good as the circumstances of the colony will allow.

15. *Dominica—Roseau gaol*.—There is no sewerage, and only surface drainage. The latrines in the entrance and hospital yards are not well placed, and are "often offensive." The ventilation is imperfect. There is no lavatory, nor any bath, except a tub which belongs to the keeper. The cells are much too small for the number placed in them. The hospital ward for males is ill placed and ill ventilated.

There is no separation. The classification required by the rules cannot be carried out; criminals are not separated from debtors at exercise; felons are associated with misdemeanants, old with young. There is no strictly penal labour for the men; the women are set to a rude unregulated kind of shot drill. The only attempt at reformation is the granting of remissions, with no good effect, at least a half of the released prisoners returning again.

Recaptured fugitives may be worked in irons of 10 lbs. weight. It would seem that three or four pounds would be enough.

Of the total annual committals, 76 per cent. are old offenders.

This prison is neat, clean, and healthy. "The prisoners generally leave the gaol in better condition than when they enter."

The Inspector of Prisons reports that besides the want of minor repairs and conveniences, there is no suitable accommodation in the gaol for juvenile offenders. There is no cell in which solitary confinement could be carried out.

16. *Mauritius.—Port Louis.*—Built at different times, without plan or convenience, in the middle of the town and bounded by streets, except at the side of the female wards, which are bounded and overlooked by the police station and the district court.

There is no separation. Male and female debtors can communicate by day. Juveniles are now kept apart; but the other prisoners are only partially classified at labour, and at night are associated in wards which are insufficient to allow more than 400 cubic feet to each of 324 prisoners, and are sometimes crowded with nearly 1,000. Taking the nights of greatest, average, and least numbers, the space per head is about 130, 190, and 404 cubic feet. It is not surprising that this prison is a nest of fever and dysentery, and the focus of epidemics, even though, apart from the overcrowding, the sanitary arrangements are apparently as good as the situation will allow.

There is no strictly penal labour. The hours of labour are too short, considering its nature (9½ to 11 hours stone-breaking and road-making, including coming and going). The hours for sleep are too long. There is no schooling. The officers are allowed to have prisoners for servants. There is no system of marks or remissions.

The number of resident warders (six) is very insufficient. It should be noticed that the keeper of this prison is also Inspector of Prisons, and inspects himself. "The management during 1864 has been satisfactory (considering the inconvenience of the prison). The officer at its head has bestowed unwearied diligence and shown much intelligence in the performance of his arduous duties."

It is the clear opinion of all the authorities (apart from the question of expense) that this prison should be removed. It is too small and cannot be enlarged. Its position favours escapes and introduction of contraband, during both hours of confinement and those of passing to the places of labour through crowded streets, gives the guards opportunities of gossip and dram-drinking; the women of talking with persons in the police court. The noises of the town distract attention and discipline. The high walls of the small yards impede ventilation. If a bad fever breaks out the whole town is endangered. Within, not only is the space too little, but it is ill economised. Lastly, the site could be sold for a sum which would go some way towards providing not only a new site but a new prison.

Vagrant Dépôt.—The building was not meant for a prison, but is being rapidly improved and enlarged. Considering the class of prisoners, it would seem that this prison will shortly be in a very satisfactory state. It is excellently managed by the Inspector General of Police.

Savanne.—The prisoners (misdemeanants) are associated, and much in excess of the accommodation. There are only two officers, each of whom takes a prisoner as servant.

Grandport.—No sewerage or drainage, baths or lavatories (except a tank). Incredibly overcrowded (see above, p. 16.), and the death-rate is enormous (over 16 per cent. on the average inmates). Labour is too short, sleep too long. There have been 150 escapes in five years.

The "Government medical officer" says, "The sanitary statistics of this prison will, I believe, bear a very favourable comparison with those of other prisons, and also with those of the population outside the walls"—a strange opinion of a prison where (according to the authorities), at times, the prisoners pass from 11 to 12 hours in a space of 56 cubic and less than 3½ superficial feet per head, and where the death-rate is much more than eightfold what it should be.

Black River.—There is no mention of any sanitary arrangements. The space per head is not generally very insufficient. There is no separation. The officers are too few; the diet excessive; the sleep too long. The water is bad, and dysentery is prevalent. For visitation there are "no arrangements made." "Four escapes. No measures taken for better security. I believe it is needless; prisoners would escape if they chose, but are better inside than outside." "Flogging makes a man run away, or quieter, but oftentimes signifies nothing."

Plaines Wilhems and Mola.—No sewerage or drainage, but sufficient space in the wards. No separation even of juveniles. Too few warders. This prison seems to be better than others in point of discomfort, and there have been 115 escapes in five years.

Flacq.—Almost as incredibly overcrowded as Grandport. Not even untried prisoners and juveniles are separated from the rest. Females, detained on their way to Powder Mills, herd with the males during the day, by night sleep with the gaoler in the outhouse which is his dwelling. The death-rate is enormous (14·3 per cent. on the average inmates). 180 prisoners have been wise enough to "escape" in five years.

The gaoler is allowed "a prisoner or two" for service.

There have been no visits of inspection in 1864 or 1865, to the knowledge of the officer answering.

Rivière du Rempart.—No sewerage or drainage; ventilation very defective; no baths or lavatories. In overcrowding only exceeded by Grandport and Flacq. No separation, even of juveniles from adults. Labour too short, officers too few. It is stated that a better prison is in course of construction.

Powder Mills.—Commonly overcrowded. No sewerage, latrines, or baths. Water scanty. No separation; too much sleep. The death-rate is comparatively low on the last five years together, but is rapidly rising.

Of the general state of discipline in this prison the senior district magistrate has given an excellent account, which is embodied in the general account of Mauritius, *supra*.

NORTH AMERICAN DEPARTMENT.

PART I.

1. *Canada.—Provincial Penitentiary.*—For the worse criminals of all kinds. Average inmates 785. Site low. Structure good, but the sleeping cells are much too small, containing only 123½ cubic feet each. Drainage and ventilation imperfect, but are being improved. Water impure, and the sewers have not fallen enough and are offensive. Only half a gallon of water per head per day is provided for both drinking and washing. There are no baths, a bath room built in 1863 having been turned to other uses. It is not strange under these conditions that typhoid fever has prevailed uninterruptedly since the beginning of 1862, producing 16 deaths in 1863 and 21 in 1864 (out of 352 cases), while diarrhœa has been so prevalent that 206 cases were admitted into hospital in 1864, and “a much larger number” were prescribed for who were not admitted, and the death-rate reaches 2·63 on the total of cases.

The prisoners are separated at night, associated in labour by day. The labour is industrial for 8–9½ hours a day, which seems too little, but suffices to cover nearly ⅔ of the total cost of the prison. There is no strictly penal labour in this or any other prison in Canada. Silence is said to be required. There is a mark system in use, but it is apparently very imperfect and leads to nothing but a better suit of clothes on discharge. No abridgments or remissions appear to be granted in this or any other Canadian prison. The diet is very high. The hours of sleep are from nine in summer to 11 in winter, the latter amount being certainly too long. There is apparently only one schoolmaster to the 785 prisoners.

Besides the defects mentioned above, there are not enough solitary cells on either the male or the female side, and such as there are, are too small and inconvenient.

Flogging for gaol offences is found to be beneficial and even necessary in this prison. It was inflicted 11 times in 1864, the average of lashes being 21½. The warden thinks it would be beneficial to some even of the women.

The warden of this prison makes very full and valuable reports on its statistics annually.

Upper Canada.—Reformatory.—For male criminals under 21 years of age. A new building; satisfactory except as regards the size of the cells, which is of peculiar importance in a prison for youths. There are about 200 acres of land, which is insufficient. In other respects the sanitary state is good.

There is separation at night, not by day. The hours for sleep are nine in summer, 10 in winter. The labour is industrial. Each prisoner has about three hours schooling daily. Birching is in use for prison offences—the number of strokes 12. There is no system of rewards for good behaviour. The diet is very high; about the same as in the penitentiary. That there has been but one recommittal since the opening of the prison does not prove much as to its efficiency, since a discharged prisoner would soon be too old to return. But it is satisfactory that of 56 discharged within two years only two are known to have been afterwards committed to the penitentiary.

The building is being enlarged.

Reformatory, L.C.—Burned down August 1864.

County Gaols.—Upper Canada.—Barrie.—An almost new gaol, built on the inspectors' plans. Structure good, but cells much too small. There is no drainage except from the kitchen. No baths or lavatories; water scanty.

There is no separation by day; no instruction or attempt at reformation. This applies equally to all the county and district gaols of both Upper and Lower Canada.

In August 1864 there was an untried youth of 14 associated with the old offenders, although there were vacant cells.

Belleville.—A “miserable prison.” The accommodation generally is bad, and the “drunk and disorderly” ward can only be approached through the female ward. There is no labour of any kind.

In November 1864 all the male prisoners escaped by filing the bars of a window.

The inspectors recommend that this gaol shall be turned into county offices and a new one made.

Brantford.—Too small, though enlarged in 1863. No sewerage or drainage. Eight escapes in five years. Several cells given up to a lunatic, others left vacant, others greatly overcrowded.

Brockville.—“The whole prison is defective, having been erected prior to the present age of improvements in prison architecture.” Sewerage and drainage almost useless from want of sufficient outlet. A debtor had been confined for a year and 19 days. Eight escapes in five years. Twelve hours allowed for sleep.

Berlin.—There are no baths or lavatories. Prisoners appear to be not always attended by warders of their own sex. Twelve hours sleep.

Cayuga.—Accommodation bad. Sewerage and drainage bad. Every grand jury has condemned the sewers. Enclosure insecure.

Chatham.—Thirteen hours sleep. Rules disregarded. Male prisoners placed in one ward, the other being left vacant. Female prisoners, but apparently no matron.

Cobourg.—Sanitary arrangements good. But a man and a boy were in one cell with one bed, though cells to spare.

Cornwall.—The structure is very bad, “repeatedly and earnestly condemned by grand juries.” No sewerage, drainage, latrines, urinals, baths, or lavatories. Imperfect ventilation and lighting. The prisoners were filthy in the extreme. Lunatics are treated promiscuously with the rest, only the sexes being separated. The rules are habitually neglected. Eight escapes in five years, and the Sheriff says, “No measures taken for better security; the gaol is very ill adapted for the security of prisoners.” And since he wrote several Fenian prisoners escaped, and the grand jury presented that they wondered that any one stayed there unless from choice. Rule 3 of the Sheriff's additional rules may be compared:—“The prisoners are prohibited (under any pretence) from standing upon the railing or “wall of the wards in which they are confined.”

The yard is inaccessible from the prison, and therefore useless for labour or exercise.

Goderich.—Sewerage in bad order. Only one bath. Windows little more than half a square foot. Insecure.

Guelph.—Only one bath and one yard for all.

Hamilton.—"Terribly overcrowded." Cells too small for one, yet some contain four prisoners each, and most two. A thermometer in a cell had "stood at" 90 degrees. Prisoners can talk from cell to cell and even from story to story through the ventilating shafts. Discipline is impossible.

The number of recommittals is swelled and the prison crowded by vagrants, &c., "some" of whom have been committed as often as 85 times each.

Kingston Gaol.—Sewerage, drainage, and ventilation bad. Cells much too small. Only one bath and two warders to an average of about 60 prisoners. No enclosure, so that labour and exercise are impossible. There were five escapes in 1864, and the prison is so insecure that the Sheriff notified the Government that he could not be responsible for safe custody.

London.—Overcrowded, yet five cells are given up to a lunatic. Water supply deficient, and no baths. Insecure. A debtor has been confined for two years and seven months.

L'Orignal.—Insecure. No baths or lavatories. The gaoler has the contract for diet.

Milton.—"Long since condemned," both by inspectors and grand juries. Ventilation very imperfect. No baths or lavatories.

A debtor has been confined for two years and five months.

Napanee.—A new gaol, built on the plans approved by the Board of Inspectors. Cells much too small. No baths or lavatories. 12 hours for sleep.

Niagara.—Defective in every way; but a new gaol is being built. 12 hours for sleep.

Ottawa.—A new gaol on plans approved by the inspectors. But the cells are much too small, the water supply is insufficient, and there is only one bath. The Sheriff desires power to flog for gaol offences.

Owen Sound.—So bad that not even the sexes can be separated. Sewerage and drainage bad. Water insufficient in dry weather. No artificial ventilation. No lavatory, and for baths two tubs. This gaol has been repeatedly condemned, and the county promises improvement.

Perth.—A new gaol built on plans approved by the inspectors; but the cells are very much too small. There are neither baths, sewerage, nor drainage. The yard is insecure. The gaoler was stated to be also deputy-sheriff. One of the prisoners was with child by him or the turnkey. 12 hours for sleep.

Peterborough.—A new gaol is being built, the old one having been condemned.

It is intended to use the old gaol for debtors; but it is equally unfit for them, the cells being by much too small.

Pictou.—A very bad prison, repeatedly condemned. Bad ventilation; no baths or lavatories; yard so insecure that exercise cannot be given. It is "unfit for use, it being partly below ground, damp, and unhealthy." The beds hold two or three prisoners each.

Sandwich.—Hopelessly bad. Cells bad and too few (38 prisoners in 16 cells); sewers and drains too small and without proper fall; latrines and urinals, in the day-rooms and described as a "foul nuisance;" no baths, lavatories, or proper kitchen or store-rooms. One wall is sinking and has separated from the other walls. The yard as well as the prison is very insecure, and there have been six escapes in five years. The sexes are very imperfectly separated, females have to pass through a male ward to reach their own, and the matron does not live in the gaol. There have been five deaths in five years.

The county refuses to provide better accommodation.

Sarnia.—A new gaol, yet the cells give only 199 cubic feet per head. No baths or lavatories. Latrines in bad order. The rules are neglected, the gaoler does not live in the gaol, he is interested in the contract for diet, and the management is generally bad. There have been 13 escapes in five years.

Stratford.—"The gaol is generally defective, and has been condemned by the inspectors, and repeatedly reported on." It is in fact falling, and is "totally insecure."

St. Thomas.—The following reports, made independently in the same year, by three inspectors, differ in some respects, and are therefore given in full:—

(i.) This gaol was visited on the 8th December.

It has the most forlorn and dilapidated appearance of all the gaols in Upper Canada. The glass was broken in the windows, and snow was drifting into the rooms. Some of the windows in the unoccupied wards were not even shut, and snow had accumulated on the floors. Two of the rooms had been rendered totally useless, in consequence of leaks from the roof, which had been dripping at every storm, for the last ten years.

The yard and exterior of the gaol were as wretched-looking as the interior. Litter and rubbish and firewood incumbered it. The fence was a low, common one, of no service whatever.

Fortunately there was but one prisoner in confinement at the date of my visit, but he was shivering over a stove in a cell, of which the glass in the window was broken, with the thermometer below zero. The floor was covered with corn in the cob, with sticks of firewood, chips, and sundries of rubbish.

This gaol is a disgrace to the county of Elgin.

(ii.) I inspected this gaol on the 13th December. Among the prisoners there were two under sentence, and also two women, each one with a child in arms.

There are no walls. The privies work very well.

The gaol is well kept. Several doors and also the floors are becoming disconnected, having been made of unseasoned wood.

(iii.) I visited this gaol on the 4th July. There were in gaol only four prisoners, three males and one female.

This wretched gaol still continues in the same state as when the board was first organized, notwithstanding the repeated and earnest remonstrances of the inspectors.

Although I had already experienced the utter futility of appealing to the county council to alter or improve the gaol, I deemed it my duty again to urge the erection of a proper yard-wall, as a matter of paramount necessity.

The floors of the cells and day-rooms were very dirty, and the whole of the interior of the prison needed whitewashing very badly.

Two of the cells on the upper storey were rendered useless by the leakage into them from the roof.

In order to prevent the women from conversing with the men, as they now can do with perfect freedom, when in their night cells, owing to the peculiarly ingenious construction of this unique gaol, I suggested that when there are only a small number of female prisoners in the gaol they should be kept altogether in the so-called day-rooms, the beds being moved into them from the cells.

The want of a good well inside the gaol yard is much felt, as all the water used in the prison must now be carried through the gaoler's apartments. This may, perhaps, partly explain why it is so sparingly used for scrubbing the floors.

The Sheriff reports that there is no sewerage and no baths or lavatories, that males and females can converse at pleasure from different cells through the ventilating shaft, that the prison is too small and very inconvenient, and that water is not conveniently laid on.

Toronto.—A new gaol built on plans approved by the inspectors for over 200 prisoners; yet the single cells give only 256, the double cells only 600 cubic feet per head. There are no condemned cells, and the prison is crowded with vagrants and police prisoners. Some wards greatly overcrowded, others "nearly or altogether vacant."

Welland.—Sewerage, drainage, latrines, and urinals all defective. No baths or lavatories. North wing so dangerously out of repair it cannot be used. Yard insecure.

Whitby.—No sewerage, drainage, baths, or lavatories. Seven escapes in five years.

Woodstock.—No sewerage or drainage. All the prisoners in one wing, the other being left unoccupied.

Simcoe (Norfolk Co.)
Lindsay
Sault St. Marie } No answers.

Lower Canada.—*Beauce*.—Sewers and latrines and pump will not work. No baths or lavatories. There is no enclosing wall. Separation incomplete, even at night.

Beauharnais.—The sewers are blocked. The latrines "are in a very bad state," and give out an insupportable odour." Imperfect ventilation. No baths. No yard. Untried prisoners are treated with and like the rest.

Bonaventure.—The prison consists of three small cells, sometimes holding three or four prisoners each. No baths or lavatories. Latrines condemned, and disused as offensive. Ventilation bad, especially in the hot months.

Chicoutimi.—Water bad. No bath or lavatory. In 1864 there was a woman confined (apparently illegally) as witness against a man charged with rape upon her. 11 to 12 hours for sleep.

Iberville.—Roof and partitions bad. Sewerage and drainage very incomplete. Latrines and urinals condemned, and cannot be used. Water very bad in warm weather. Ventilation insufficient. No bath or lavatory. No enclosure.

Joliette.—Water tank useless, and water bad. No baths. No yard or wall, and so neither labour nor exercise. Untried prisoners and lunatics and debtors are mixed with the rest. Insecure. 10 to 12 hours for sleep.

Kamouraska.—A temporary wooden building, insecure. 10 to 12 hours for sleep.

Montmagny.—Water bad. No bath or lavatory. No enclosing wall. The gaoler attempts the reformation of the prisoners, but only "en parlant souvent du bon Dieu et en donnant de bons exemples." There is no report by any inspector on this prison for 1864.

Montreal.—Thirty-three of the cells are very much too small (184 cubic feet). The ventilation is bad. This prison is so crowded with persons committed and recommitted for vagrancy, drunkenness, &c., and by infirm and destitute old people who make it their refuge, that separation and classification are impossible.

There are but seven warders to an average number of 301. The labour of the prisoners here covers about one-seventh of the gross cost, but a part of their labour is uselessly employed in breaking stones which cannot be sold. 10½ to 13 hours for sleep.

Percé.—Repeatedly condemned. One wall is split, and there is no enclosing wall. Sewerage and drainage and ventilation bad. No bath or lavatory. "The whole is defective," says the Sheriff.

The whole accommodation consists of two cells, of which the gaoler occupies one. No limit of sleep.

Quebec.—The answers refer to an old gaol, defective in almost every particular. A new one is now in use, of which no details are given, but which the inspectors regard as a model, leaving nothing to be desired except the removal of cesspools from the yards. It is, however, already greatly overcrowded.

Rimouski.—Ventilation defective. No bath or lavatory. Only one officer. Hours for sleep "24."

Saguenay.—Sewerage and drainage in a bad state, for want of water. Ventilation defective, and cells too small. No bath or lavatory, and water insufficient. No reports are made to the Governor. 11 to 12 hours for sleep.

Sherbrooke.—A new gaol is in progress, the existing one having been repeatedly condemned.

St. Hyacinthe.—The sewers are choked, the well-water is bad. There is no bath. Apparently not visited by the inspectors in 1864.

St. Scholastique.—Burned down in July 1864.

Sorel.—Damp, ill-built, without enclosing wall. Structure and ventilation defective. The wells adjoin and are poisoned by the latrines. To this the physician attributes a prevalent disorder of digestive organs.

Sweetsburg.—No yard; no bath. Repairs neglected. No enclosing wall or yard. Latrines offensive. Ventilation imperfect. Eight escapes in three and a half years. Built on inspectors' plans, but single cells give only 304 cubic feet of air.

An insolvent debtor has been confined for 10 months.

Three Rivers.—No drainage; sewers out of repair; latrines very offensive; no bath or lavatory; chimneys dangerous.

"No gaol offence has been committed during the last 38 years."

Aylmer
Arthabaska } No answers.

It is necessary to repeat, with reference to the county and district prisons of Canada generally, that they are wanting in the primary conditions of security and healthfulness, destitute of all means of penal or reformatory discipline, and insufficiently inspected and controlled.

2. *Nova Scotia*.—No detailed information.

3. *New Brunswick*.—*Provincial Penitentiary*.—For all classes, including police cases. The sanitary state is apparently good, except that the cells (which are not certified) are too small, and the prison is sometimes overcrowded.

The prisoners are separated at night. Silence is required, but cannot be enforced for want of a sufficient staff. The labour is industrial. There is some schooling, and a chaplain, who is required to

be a Protestant, though three-fourths of the prisoners are Roman Catholics. There is no system of reformation. Abridgments of terms were formerly granted, and only one prisoner so released was recommitted, but none are now granted unless fresh evidence is discovered tending to palliate the crime. Flogging is not in use. The number of recommitments is swelled by police and magistrates' cases. The diet is excessive. There have been 12 escapes in five years.

The management is in the hands of commissioners, who are not required to visit more than once a month. The Governor visits frequently.

"That part of the prison used as a temporary hospital will soon be required for cells. See answer xxxii. A thoroughly efficient hospital can be easily and cheaply constructed over the large area between the block of cells and north end wall of the prison. The said area is open from ground to roof; 35 feet from floor to girders. By throwing a floor across it, and partitioning at the dotted line shown in the ground plan, a hospital ward will be obtained 40 by 20 feet, and 15 feet high. It can be well lighted, easily ventilated, safe, and always under the supervision of the inner guard of the prison.

"Heating and cooking by steam would be a desirable improvement, and, after the first outlay, a saving in expense over the present system.

"Another under-keeper is one of the more immediate wants. There are but three to oversee and instruct 80 to 100 prisoners when at work, and at the same time to preserve discipline. There are four departments where the most of these are employed. The rest out of doors, in and about the yard. Three men to oversee, instruct, and maintain necessary discipline over 80 to 100 prisoners working in four separate departments, and out of doors. Take also into consideration short sentences, prisoners constantly coming and going, all on entering the prison entirely ignorant of the work they are set about, some neither too willing either to work or to learn to work, the materials used being in many cases expensive and calling for great care on the part of the keepers to prevent waste, the work to be done requiring skilled hands to do it properly—keep all this in view, and the necessity for strengthening the hands of overseers or keepers must be apparent."

County Gaols.—St. John's.—Too small, and badly designed. No sewerage, drainage, latrines, baths, or lavatories. Ventilation bad.

Charlotte.—No sewerage, drainage, latrines, urinals, baths, or lavatories.

Queen's.—Dilapidated. Ventilation by one small window to each cell. No sewerage, drainage, latrines, urinals, baths, or lavatories.

Sunbury.—Dilapidated. Gaoler occupies half the building. No sewerage or drainage. "Each cell has a supposed watercloset." Ventilation bad. No bath or lavatory.

York.—Gaoler occupies part of the prison. No sewerage, drainage, latrines, urinals, baths, or lavatories.

Carleton.—Gaoler occupies part of prison. No latrines, baths, or lavatories.

Victoria.—"Simply a bad two-storey house, with rooms for the gaoler." No bath or lavatory.

Restigouche.—Very small. No sewerage, drainage, latrines, urinals, baths, or lavatories. Water, "none." Ventilation bad. Damp and unhealthy in summer.

Gloucester.—"Simply a two-storey private house. Sheriff occupies upper story and kitchen." No bath or lavatory.

Northumberland.—"Two-storied private house occupied by gaoler." Ventilation bad. No bath or lavatory.

Kent.—"Sheriff occupies half the house." No lavatory.

Westmorland.—Apparently no sewerage or drainage. No bath or lavatory.

Albert.—"A mean and dilapidated two-storey house." Ventilation bad. No bath or lavatory.

King's.—Said to be a good building; but no sewerage, drainage, baths, or lavatories. Only latrine in one of the cells. Ventilation bad.

4. *Prince Edward Island.—Queen's County.*—No sewerage, drainage (except an open drain in the debtors' yard), latrines, urinals, baths, or lavatories. Cells only 240 cubic ft.

There is not individual separation by day. The only labour is stone-breaking, and of this there is no scale of quantities. Reformation is attempted by means of an extra allowance of food during good behaviour. There should be another warder.

Prince County.—No sewerage or drainage, baths, or lavatories. "Slops of all kinds from the prison, urinal, and others are thrown into a pit in the same yard with the dust and ashes, and the contents taken away by the gaoler in the spring for manure." The water supply is neither good nor constant. The cells are sunk in the ground to within 3 ft. of the ceiling. The only means of ventilation in the criminal cells is the removal of windows. The debtors' rooms "are ventilated through the windows and the internal draught through the building, when the outside door is open." Rooms built for the gaoler shut out light altogether from one cell.

There is only one gaoler, who has 20% a year and fees on admissions.

There is no instruction or attempt at reformation, nor any means of carrying out sentences to hard labour within the prison. No limit of sleep. Not even insolvents or juveniles can be separated from adults; and that the sexes are not properly separated is proved by the birth of a child from intercourse between prisoners within the prison.

There is not sufficient visitation.

The visiting commissioners observe that whereas the Prison Discipline Act (12 Vict. c. 12) requires separate yards for criminals and debtors, there is here but one small yard.

King's County.—Drainage apparently imperfect. No baths; no labour. Imbeciles and maniacs are treated like other prisoners.

5. *Vancouver Island.*—There is one prison, which serves also as a lunatic asylum. Built for 50, it is sometimes crowded with 70 inmates, there being sometimes eight prisoners confined for 12 hours together in each of wards containing 864 cubic feet ($\begin{smallmatrix} w. & l. & h. \\ 8 & \times & 12 & \times & 9 \end{smallmatrix}$) and giving only 108 cubic and 12 superficial feet (6 feet by 2) per head, and that without any other means of ventilation than a window 14 inches

PART I.

square, exclusive of bars. There is no infirmary. The whole building is insecure, and there have been "about" 15 escapes in five years.

The number of warders is insufficient, and there are no female warders for the female prisoners.

The prisoners are not separated or classified. The only labour is roadmaking and housework. There is no schooling or system of rewards. Twelve hours are allowed for sleep, but without beds. Flogging is not in use.

There are no reports, and no visitation except by the governor. The cost is paid with the police expenses by an annual vote.

The records appear to be not well kept. Neither the deaths, the recommitments, nor the number of escapes are more than approximately given.

6. *British Columbia.*—*New Westminster Prison.*—A new prison for all classes of offenders. Cells much too small, especially the double cells, which give only 189 cubic feet per head. The yard is too small.

There is no separation, except of lunatics from criminals, and white from coloured men. The diet is high.

A rapid and steady rise in cost from 850*l.* in 1861 to 1,356*l.* in 1864 is not explained.

7. *Falkland Islands.*—There is but one prison, the Stanley Gaol and House of Correction, for all classes of prisoners, but chiefly occupied by runaway sailors. It is a dilapidated wooden building, originally a storehouse for naval lumber. The cells are too few and too small. Frequently two beds are placed one over the other, in a space of 468 cubic feet. There is no sewerage.

There is no penal or reformatory system. The diet is high.

There is no regular system of visitation, and no periodical reports are made to the governor.

This gaol "is now in a state of dilapidation almost beyond repair; in every respect ill-adapted for the purpose." It is neither wind nor water proof. "Its sanitary arrangements cannot well be worse. There is no washhouse, no bath of any kind, no female necessary, and consequently a very unhealthy atmosphere when many are confined."

8. *Bermuda.*—*St. George's Gaol.*—A new gaol, with sufficient accommodation in ordinary times. There is no sewerage or drainage, but there has been little illness. The hours for sleep are too long. There are apparently not sufficient records or books kept in the prison. Another warder is required for night duty.

Hamilton Gaol.—An old and inconvenient prison on a bad site, but about to be replaced by a better structure. The hours for sleep are too long. Another warder is required.

MEDITERRANEAN AND AFRICAN DEPARTMENT, WITH ST. HELENA AND GIBRALTAR.

1. *Malta.*—*Corradino.*—For males sentenced for more than three days. This prison is built on an excellent plan, and managed under rules which were carefully prepared in 1861 in consultation with home authorities, and which provide for a reformatory system of graduated severity in separation, labour, and diet. The only apparent defects (the circumstances and the nationality of the prisoners being considered) are that there is no provision for strictly penal labour, that the diets are very high, and that the rules do not specify how classes A and B are to be employed during part of the time when they are out of their cells.

Ospizio.—For women, most of the prisoners being disorderly prostitutes. They are not separated or kept silent, or put to labour, and their diet is high. The regulations say "a separate sleeping cell will be allotted to each;" but this rule cannot be always operative, since there are but three rooms with sometimes 10 prisoners.

Valletta and *Gozo* are in effect merely police lock-ups. The only apparent defect, considering the kind of prisoners, is that there is no female officer or warder in either.

2. *Gambia.*—*Bathurst Gaol.*—No sewerage, drainage, latrines, baths, or lavatories, and 12 of the cells are too small, (379 cubic ft.) The death-rate is very high; the deaths being principally from "gaol disease (anasarca)," which is attributed to despondency, but probably is connected with the sanitary defects. During the height of the disease the diet consisted of rice and beef; upon the substitution of bread for a part of the rice, with improved ventilation, the disease decreased.

Most of the prisoners are sentenced for short terms. There is not separation or silence. The labour is on public works, and seems to produce considerable results. There is no schooling, nor any system of remissions. The sheriff can order six dozen lashes for gaol offences. It is said that the effect of the infliction is good the first time, but is little or nothing afterwards.

There have been 37 escapes in five years from the working gangs.

A great defect is that the sexes can communicate by day, and that there is no female warder. The prohibition of letter-writing is objectionable.

The Governor visits often, and dispenses with reports and returns, which, however, should certainly be required.

3. *Cape of Good Hope.*—No answers.

4. *St. Helena Gaol.*—Chiefly police cases. Defective in means of classification. Only the sexes can be separated. The cells are by much too small, 171 cubic ft. in night and 416 in solitary cells.

5. *Gibraltar.*—*Civil Criminal Prison.*—There is a department in this prison which serves for the lunatic asylum of the colony. The cells are too small and insecure. The hours for labour (none of which is

strictly penal) are too short, those for sleep by much too long. No separation. Even imbeciles and juveniles under 15 appear to be associated with the other prisoners. There is no attempt at instruction or reformation. There seems to be no regular visitation or inspection. There are apparently no periodical reports or returns to the Governor.

The police magistrate thinks the kinds of labour in use are not "a suitable punishment for prisoners."

Debtors' Prison.—Attached to the Civil Criminal Prison. There is very little information, and the question as to the duration of confinement of debtors is not answered. The gaoler "is not prevented from receiving a fair remuneration for acts done, or articles supplied for the prisoners at their request," though fees are forbidden, as also should such remuneration be forbidden.

Rule 25 of the Civil Criminal Prison says:

"The prisoners will not be exempt from hard labour on Saturdays as heretofore; the same work will be done on that day as on other days of the week."

Since Jews are likely to be among the prisoners in Gibraltar, it would seem that exceptions should be directed to be made in their case. The penal effect would probably not be greatly diminished.

AUSTRALIAN AND EASTERN DEPARTMENT.

1. *Queensland.*—*Brisbane.*—No cells large enough for solitary confinement. No baths or lavatories. Too much food and sleep; too little labour. A hospital, a better schoolroom, and more tanks are required.

Rockhampton.—Site low; arrangement bad; no baths or lavatories; only six cells. A new and better prison is promised.

2.—*Tasmania.*—*Hobarton House of Correction.*—An old transported-convicts prison, now used for prisoners under not more than two years' sentence. The Home Government pays for naval or military convicts, the colony for its own; the average annual net cost per head being (apparently) about 27*l*. The few cells are by much too small. The structure and arrangements of the prison are said to be "very good, considering that it was erected at an early date, when proper means to effect due ventilation and other sanitary results were but slightly, if at all, considered;" which seems to be nearly the same as saying that they are very bad.

There is no separation, nor any strictly penal labour, although the prisoners are of the kind most suited for such treatment. There is no schooling nor any system of marks or gratuities, but there is a scale of abridgments of sentences for industry with good conduct. The dietary is high. Each resident officer is allowed a prisoner for a servant.

No periodical reports are made to the Governor. On each 100 prisoners about 70 have been thrice or oftener convicted, 20 twice, 10 are in for the first time.

House of Correction for Females.—Originally for transported female convicts, but transferred to the colony in 1865. A bad structure; cells too small; drainage defective.

The prisoners are classified, and silence is said to be enforced. Abridgments to the extent of one-sixth to one-third of sentence, and credit for industry in taskwork, are allowed. There is no schooling. Each officer is allowed a prisoner as a servant. There are no periodical reports to the Governor.

All but two of the inmates had been three times convicted.

Hobart Town Gaol.—A mere house of detention for males. No defects appear except that the cells are not well ventilated.

Launceston Gaol and House of Correction.—In this establishment are comprised (A) a house of detention, (B) a house of correction for males, and (C) a house of correction for females. The three departments are wholly separate from one another.

From the bad arrangement of the buildings, classification, much more separation, is impossible in all three. B and C are overcrowded, even with association. Two cells in A, and still more four solitary cells in B, are very insufficient in size (A 164, B 170 cubic feet), being, in fact, hardly more than large enough to lie down in. The ventilation is bad. No baths except in the infirmary. There are chaplains but no schooling. The diet is excessive, at least in B.

There have been 90 escapes in five years, 26 of them from the prisons, 64 from working parties.

No periodical reports are made to the Governor.

This establishment was condemned by a Commission in July 1862, and is now condemned by the Governor.

The profits of labour have been steadily falling in the last five years (from 733*l*. to 180*l*.).

For the penal establishment at Port Arthur, see under "Imperial Convict Establishments in Colonies," *supra*.

3. *South Australia.*—*Adelaide Gaol.*—The diet is higher than at the labour prison of Dry Creek, and the hours of sleep are excessive. The sanitary state is apparently good.

Dry Creek Labour Prison.—There is but one bath and one lavatory for 70 or 80 prisoners. The diet is high. In most other respects this prison appears to be excellently managed.

The regulation as to letters should be altered so as to provide that any letter stopped by the prison officers should be forwarded to some superior authority.

4. *Western Australia.*—*Colonial.*—*Perth House of Detention.*—Used only for women and persons untried or condemned to death. No bath or lavatory. Cells too small. No separation, except of the sexes. No periodical reports are furnished to the Governor.

The cells in the 12 lock-ups are too small, especially where, as at Mandurah and Beverly, there is but a single cell.

For the convict prisons, see under "Imperial Convict Establishments in Colonies," *supra*.

PART I.

5. *Ceylon*.—In view of the action taken by the Governor and Council of Ceylon, and of the Commissioners' report, of which a summary is given above (Part II.), it seems unnecessary to dwell upon the defects of prisons so examined and condemned. But it must be observed that their state generally, as it appears in the answers to interrogatories, is such as would justify the strongest language of condemnation. Still there are exceptions. None indeed are penally efficient, but Jaffna is sanitarily superior to the rest, and Jaffna, Hulisdorp, Wellectadde, Trincomalee, and Kandy are apparently well managed internally to the extent of the powers of their superintendents.* On the other hand, these larger prisons appear sanitarily inferior even to the smaller gaols. The annual death-rates per cent. on the average number of inmates have been, on the average of five years—at Wellectadde, nearly 10; at Hulisdorp, 8·1; at Kandy, 9·5; at Hambantotte, 31 in 1860, and 2 since. At Wellectadde, "diarrhœa and dysentery" may be said to have assumed an endemic form, and in 1865, for the first portion of the year, down to the date of the answers to interrogatories, the deaths were at the rate of more than 20 per cent. Bowel complaints and cholera are the chief causes of these enormous rates. The smaller prisons show a less mortality, probably only because they are used merely for shorter terms of imprisonment. In these, as well as in the larger gaols, it is probable that the mortality would be much higher if the prisoners were confined continually, instead of passing their days in outdoor labour. One specimen of general condition will suffice. Wellectadde is the central gaol for Ceylon, has the largest number of prisoners, and those the worst, and is among the better managed few. Its governor reports, in answer to the 36th interrogatory, as follows:—

"*Structure of the Cells*.—Has already been adverted to in the answer to Interrogatory No. VII. Another evil may be mentioned here, the many passages and openings about the corridors rendering proper supervision of the prisoners while at work next to impossible. There are 14 several openings, through which the prisoners can easily dodge the officers; this is a source of many irregularities.

"Light iron gratings would remedy this, and at the same time permit the free circulation of air.

"Privies in this gaol are of the most primitive construction. With one exception they are simply holes dug in the ground, covered with a platform of planks, and built over; these very soon fill, and the clearing of them out and carrying away the soil is something dreadful, although there is some amelioration of this evil, caused by the introduction of the system of using sifted earth as a deodoriser.

"The prison for females, although sometimes occupied by as many as 25 prisoners, besides female attendants and children, has no privy at all. A tub is used, and carried out when full.

"The sanitary state of the prison is a subject calling for serious consideration. The table of deaths, shown in the answer to Interrogatory XXXI., is made up for five years, and shows the highest rate of mortality to have been in the year 1862, which gives 25, in a population 225 average, whereas at this present writing, 22nd May 1865, the deaths have already amounted to the unprecedented number of 24, on an average of 275 prisoners; therefore, if the rate of mortality continue the same to the end of the year, we may reckon upon a death-rate of between 50 and 60 men.

"*Discipline*.—The answers to Interrogatories XXI. and XXVII. will lead to an anticipation of the nature of the answer which will be given to this question. The discipline of the prison is exactly in that state which may be looked for when the head of the establishment has no power either of conferring rewards on well-conducted prisoners, or inflicting punishment on evil doers.

"1. One of the great defects in the original plan of this prison is that no means have been provided for classification, or for separating the hardened convict from those convicted for the first time for a slight offence.

"2. Another vicious system adopted in this prison is the herding together of large numbers of convicts awaiting transportation, prisoners sentenced to be confined at hard labour for life, or for long periods, in one large ward at night, where they can converse together in whispers, and hatch schemes for escape or outbreaks. 90 and 100 prisoners have been and are herded together in the large double ward in this prison, and they are always men of the most desperate character.

"3. The water supply of this prison is very imperfect, entailing great loss of labour, in having a party of prisoners daily employed outside the gaol walls in bringing it up a steep hill from the lower ground. The means of bathing and a constant supply of water should have been furnished from within."

It should be stated that full use is not made of the powers given by the Prison Ordinance (No. 18, 1844). First, the Governor may appoint visitors to the several prisons, but apparently no such visitors have been appointed, except in two or three instances. Secondly, for district prisons, the Governor, with the advice of the Executive Council, may but apparently has not made rules, and some of these prisons have no collected rules.

The rule of the ordinance as to visits of friends and letter-writing in the case of prisoners sentenced to hard labour is too strict, and the practice of the local authorities is in some cases even more strict, for visits and letters are wholly forbidden, not only to such prisoners, but to others. In several of the district prisons there is similarly a total prohibition.

There is no provision for the keeping of proper books and records in the district prisons.

One very general defect, not mentioned in the Commissioners' report, is that the numbers and the pay of the warders are very insufficient. Two consequences of their low pay are, that only natives can be obtained for guards, and that the guards are tempted to take bribes and fees from the prisoners or the prisoners' friends. Frequently the guards are relations or connexions of prisoners, and are not impartial in their treatment.

The cats used for flogging are required to be but are not uniform throughout the provinces.

A statistical table of all the prisons is given above.

6. *Hong Kong*.—*Victoria Prison*.—For all classes of criminals. Used also as a temporary refuge for destitute persons waiting to be passed on to other colonies.

* At Colombo and Kandy there are prison schools, and abridgments are granted in proportion to the hours diligently spent in them. When the schools were first opened the prisoners refused to attend, but since the introduction of the system of abridgments as rewards for diligence in school the numbers have rapidly increased.

The sanitary arrangements are good, except that the cells are somewhat too small, and are too few.

European felons are individually separated at night, but Asiatic felons and all misdemeanants sleep in associated wards, only nationalities being separated. There is no strictly penal labour. There is no schooling.

The superintendent suggests (for security and facility of classification) that all passages and corridors should be fitted with iron gates, and the wall of the outer compound raised three feet, or railed at the top; and that gas should be introduced and a verandah placed round the officers' quarters to keep off sun and damp.

Convict Hulk.—For criminals sentenced to above two years' penal servitude. In the wards on the main and lower decks the beds touch, and the cubic space per head is apparently less than 70 feet. It is not strange that in 1864 the mortality was $2\frac{1}{2}$ per cent. on the average inmates, while in 1863 it reached $15\frac{1}{2}$ per cent.

IMPERIAL CONVICT ESTABLISHMENTS IN COLONIES.

1. *Gibraltar.*—*Convict Prison.*—The building does not admit of separation. The wards, when full, give only 176 cubic feet per head, the hammocks then almost touching. There are but 15 separate or punishment cells for the 800 prisoners. The water is very impure. For further details, see p. 41, *supra*.

The management appears to be as excellent as the building and system will allow.

The visitors have visited only eight times in five years.

2. *West Australia.*—*Convict Establishment, Fremantle.*—Cells too small, especially the solitary cells. The death-rate was very high in 1864, fourfold that of previous years, and no explanation is given. The number of warders is insufficient.

Perth.—No lavatory, and but five tubs for baths. Cells too small. In other sanitary respects apparently sufficient. Too few warders. No schooling.

Depôts.—None of the seven depôts are suited for use as prisons. They are not large enough, and are not adapted for separation or classification. The number of warders appears to be insufficient.

The very high death-rate at York is not explained.

3. *Tasmania.*—*Port Arthur.*—The defects of this prison are, that the night cells and still more the separate cells (in the separate prison) are too small (225 and 575 cubic feet respectively); that a pauper and a lunatic asylum are comprehended within the same premises; that there is no provision for strictly penal labour; that there are too few officers, only one warder being resident in the prison, and the whole number for the prison (as distinguished from the working parties, asylums, &c.) being only 26. It is to be observed that while the Governor of the colony visits annually, the Comptroller General of Convicts visits only twice a year. There is apparently no other visitation.

Statement of Convict expenditure in Western Australia for the year ended 31st March 1865. (From the "Annual Report of the Convict Establishments at Western Australia and Tasmania, 1866.")

Vote.	Service.	Amount.
		£ s. d.
1	General superintendence - - - - -	15,936 18 11
2	Religious instruction - - - - -	2,709 9 8
3	Medical treatment - - - - -	1,891 15 9
4	Provisions - - - - -	25,440 4 2
5	Medicines - - - - -	- - -
6	Fuel and light - - - - -	1,662 10 0
7	Prison stores and clothing - - - - -	3,878 0 8
8	Land and water transport - - - - -	4,252 9 2
9	Works, buildings, and stores - - - - -	4,049 6 6
10	Miscellaneous services - - - - -	1,872 2 4
11	Police and magistracy - - - - -	13,066 11 0
12	Gratuities to prisoners and private cash and earnings - - -	3,390 0 0
	Total convict expenditure - - - - -	78,149 9 2
13	Total military expenditure - - - - -	31,819 1 2
	Total - - - - -	109,968 10 4

Amounting to one hundred and nine thousand nine hundred and sixty-eight pounds ten shillings and fourpence sterling.

Commissariat, Western Australia,
Perth, 22nd June 1865.

J. H. SALE, Assistant Commissary General,
Military Accountant.

PART II.

PART II. The following paragraphs are a summary of the principal conclusions of the experience of this country in the construction and management of prisons. The conclusions are to be found at large, with the evidence on which they are based, in the reports and documents, a list of which is the first appendix to this digest. The subjects of the paragraphs respectively are—

- I. Diversity of discipline.
- II. Uniformity of discipline.
- III. Penalty of discipline.
- IV. Separation.
- V. Solitary confinement.
- VI. Hard labour.
- VII. Industrial employment.
- VIII. Diet.
- IX. Prison details.
- X. Reformation.
- XI. Prison punishments.
- XII. Inspection.
- XIII. Rules.
- XIV. Privilege prisons.
- XV. Identification of old offenders.
- XVI. Construction of prisons.
- XVII. Remissions and tickets of leave for convicts.
- XVIII. Juvenile reformatories.
- XIX. Reports and statistics.
- XX. General summary.

The 15 sections of the report of the Select Committee of the House of Lords on the state of discipline in gaols and houses of correction in England and Wales form the text of the first 15 paragraphs. They are accompanied by notes containing suggestions drawn from the reports of other Committees of either House, from the reports of Royal Commissions, and from other authoritative documents relating to prison discipline. The next four paragraphs deal with subjects which it did not belong to the Lords' Committee to discuss.

THE LORDS COMMITTEE REPORTED THAT :

I. They (the Committee) have in the first place to remark that many and wide differences, as regards construction, labour, diet, and general discipline, exist in the various gaols and houses of correction in England and Wales, leading to an inequality, uncertainty, and inefficiency of punishment, productive of the most prejudicial results. * * * *

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Lords'
Report, I.

II. The Committee are of opinion that it is desirable to establish without delay a system approaching as nearly as may be practicable to an uniformity of labour, diet, and treatment.

III. That whilst industrial occupation should in certain stages form a part of prison discipline, the more strictly penal element is the chief means of exercising a deterrent influence, and therefore ought not to be weakened, as it has been in some gaols, still less to be entirely withdrawn.

IV. In all questions of prison discipline, it appears to the Committee that the principle of separation, or association, stands first for consideration. Next in importance is the question of solitary confinement.

Association, or a mixed system of association and separation, prevails, as has already been shown, in many gaols. Such anomalies, however, are, in the opinion of the Committee, very objectionable. They should be removed at the earliest practicable time; and their present existence can only be justified by the difficulties of reconstruction, and the natural reluctance of the local authorities to incur a heavy expenditure. The Committee entertain a very decided opinion on this head, and having reference to the course of legislation, now extending over many years, and the agreement in opinion and practice of the highest authorities, they consider that the system generally known as the separate system, must now be accepted as the foundation of prison discipline, and that its rigid maintenance is a vital principle to the efficiency of county and borough gaols.

NOTES.

IV. With this accord

The Report from a Select Committee of the House of Lords of 1835.

The Report from a Select Committee of the House of Lords in 1847.

The Report of a Select Committee of the House of Commons in 1850.

And with reference to convicts

The Report of the Commission on Transportation and Penal Servitude, 1863.

Note on IV.
Separation.

It has been recognized too long and too widely to be now disputed that good discipline is impracticable and corruption certain where prisoners are in communication with each other, and that separation is the only basis for a sound penal system. Not only in this country but in the United States and in the chief states of Europe the principle of separation has passed from books into legislation and practice. There is a general consent of all authorities that it is one of the most effective instruments of punishment, and that without it not only is such an amount of reformation as may be otherwise attainable certainly prevented, but contamination is certainly produced; and its importance is increased by this, that it is the only principle of prison discipline which can be regarded as absolutely certain.

In this country the separate system is an experiment dating from the opening of Pentonville Prison in 1842. Since that time the number of prisons in which it has been wholly or partially adopted in Great Britain has gradually increased to 145, the number of cells certified for separate confinement from 1,200 to more than 24,000, and the numbers are still increasing. Wherever it has been tried it has been continued and extended. Separation combines two elements,—the preservative element of prevention from contamination, and the penal or deterrent element of severance from other men. Various methods of securing these objects have been adopted.

One of the earliest experiments was that of separation in the strictest form, tried in the prison of Walnut Street in New York. The prisoners never left their cells, never heard a voice, and were without employment. This experiment failed signally. The health and reason of the prisoners were gravely affected, and those who were released were not deterred by their sufferings from committing fresh crimes.

Two other systems, the one in its origin contemporaneous with the experiment of Walnut Street, the other consequent upon its failure, have been tried in America, and are now in operation in different prisons; one the Philadelphia or Pennsylvania system of individual separation both by day and by night, with labour in the cell; the other, of individual separation at night, with labour in association, but under a strict condition of silence by day. It is unnecessary to dwell on the comparative advantages of these

The Committee concur entirely in the opinion expressed by the Commissioners of Penitentiaries, who in their Fifth Report, dated 5 March 1847, give the following decisive testimony in its favour :—

“ We concluded our Third Report by strongly urging the advantage of the separation of one prisoner from another, as the basis and great leading feature of all prison discipline.
“ On reviewing this opinion, and taking advantage of further experience, we feel warranted in expressing our firm conviction that the moral results of the discipline have been most encouraging, and attended with a success which we believe is without parallel in the history of prison discipline.”

And in conclusion they state as their deliberate opinion, that

“ The separation of one prisoner from another is the only sound basis on which a reformatory discipline can be established with any reasonable hope of success.”

In order to avoid all ambiguity on so important a branch of this inquiry it is to be observed that separation has a twofold aspect in which it may be considered; first, that seclusion which results from the mechanical construction of the prison and its cellular arrangement; secondly, that separation of the prisoner from his fellows which is dependent upon system and discipline, as apart from the material separation of the cells.

(a) Separation by Construction.

1. The Committee have observed, from the evidence submitted to them, that in many of the best gaols a large proportion of the cells are below the precise standard of size, and consequently uncertified by the inspector. Such cells, however, appear to be used under certain conditions, without prejudice to the administration of the prison or the health of the prisoners.

NOTES.

Note on IV. systems, further than to say that the former is more expensive to establish, but when once established is easier to maintain; while the other requires less initial outlay in construction, because smaller cells suffice, but implies a larger staff of officers and more frequent punishments to maintain by moral influence and by watchfulness that silence by day which on the other system is secured by simply physical means.*

In this country a preference is given to a system which begins like that of Philadelphia, but in its later stages admits of labour in regulated association, as at Auburn. Apart from questions of expense, no doubt is entertained that communication is more perfectly prevented by the former system. It is difficult to maintain silence, without physical separation, otherwise than by punishments unduly frequent and severe, and such discipline is thought to induce arts and practices of evasion which keep the prisoners in a habitually fraudulent state of mind. These differences, however, are only differences of detail. The important element is that of separation by night, with either physical or moral isolation by day, and this element must be regarded as the essential condition of a sound prison system.

All the evidence goes to show that separation is highly penal and deterrent.† It prevents the prisoners from becoming worse through extraneous influences. If reformation be possible at all, it is possible only with separation. Lastly, separation is so far from being injurious to health that mortality has decreased since its introduction, wherever it has been adopted.

There are two important questions of detail regarding the use of separation in prisons which cannot at once provide for its complete introduction—one, whether separation by day or by night be the most important and first claimant; the other, to what classes of prisoners it should by preference be applied.

As to the former question, it is certain that separation by day is nugatory without separation by night; whereas if the prisoners are separated by night a moderate amount of restraint by day will sensibly diminish contamination.

With regard to the second question, it appears that prisoners awaiting trial have the first claim to separation. Thirty in each hundred of prisoners committed for trial in this country are acquitted, and the whole number must be presumed innocent until after trial. It is evident that even if it is justifiable to expose convicted criminals to further contamination, it is wholly unjustifiable and impolitic to risk the demoralization of those who are not

* The Philadelphia system is often called “solitary,” the Auburn system “silent,” and sometimes “congregate.” “Solitary confinement” in this country expresses continuous separation by day and night, without labour, as at Walnut Street

† Amongst other things, it may be supposed to increase the apparent length of the sentence.

Whilst for the future the fullest development is given to the separate system, it will be for the Secretary of State to consider how far the practical object in view may not be met, and the difficulties arising out of the expense of a reconstruction of many prisons obviated by allowing a certain proportion of cells below the average standard to be certified and sanctioned, it being understood that the occupants of those cells shall consist of prisoners undergoing short sentences, who shall be chiefly employed during the day upon hard labour outside their cells.

2. The Committee recommend that legislative measures be taken as speedily as possible to render the adoption of separation obligatory upon all gaols and houses of correction in England and Wales, and that the payment of the proportion of the charge, now issued from the public revenues in aid of the county and borough prisons, be made contingent in each case on the adoption of the separate system.

(b) *Separation by System.*

3. It is clear that this kind of separation must depend upon the judgment and capacity of those who are locally responsible for the administration of the prison. The newest and most elaborate form of construction is an insufficient safeguard if there is any relaxation of the necessary precautions by the local authorities, whilst an old and defective gaol may in some degree, by care and proper arrangement, be adapted to the requirements of our present system. Looking, however, to the ordinary arrangements which exist in most gaols, there are so many interruptions to the regularity of prison discipline, instruction is given at such various times, and the communications which pass between prisoners and other persons are so frequent, that separation though it exists nominally in many is really to be found in few gaols; but where it does exist, it exercises both a reformatory and a deterrent effect. Under these circumstances, the Committee are of opinion that the

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yet guilty, and of whom many are detained merely through the imperfect discrimination of the state. Separation is also the more necessary in the case of unconvicted prisoners, because they are not subjected to labour, and have unlimited leisure for their communications. Next in importance are the prisoners committed for short terms. Most of these are not yet confirmed in crime, and the term which is too short for reformation (were it possible) is yet long enough for corruption. We are not sure that we can improve prisoners sentenced for long terms, by separation, but we are sure that without it we shall corrupt the lesser offenders. The last for consideration are those prisoners who have long terms to undergo, who have done their best to relieve society of the duties which it owes to those of whom it assumes the control. But even for these, separation offers the only chance of amendment, while its deterrent effect, although not exactly ascertainable, is known to be great.

In prisons where an initial period of strict separation is followed by an advance to association it is thought to be beneficial to remand each prisoner to strict separation for a period of one or two months immediately preceding his discharge.

Classification.—Separation makes classification unnecessary. Where there is separation by night, but labour in association by day, much is gained by classifying prisoners at labour, but mere classification is an imperfect form of separation, and after many and fair trials has been condemned in comparison with it. The great variation in the crimes classed together in different countries, and the uncertainty of those nominal distinctions of criminality on which classification must rest, show that it can have no certain basis or operation. Further, a classification which should be tolerably minute would be almost as expensive to carry out effectively as separation, and the answers to interrogatories show that in colonial prisons it is in a great measure illusory in practice. At the same time it is better than nothing, and in those prisons where separation is not immediately practicable it is of importance that classification should be made as complete as possible. In this regard, after the division of the sexes, it is of the first importance to separate juveniles from adults, especially in the case of Asiatic prisoners. Next are the separation of untried from convicted prisoners; that of civil from criminal prisoners; that of first convictions from second or later convictions for crimes; and lastly, that of crimes of violence from crimes of fraud. Convenience will sometimes necessitate an interference with some of these divisions, with the view of collecting together those prisoners who are sentenced to hard labour, but in general the same classification should be preserved at labour as in sleep.

The classes should be distinguished in dress, so that a prisoner out of his class may be readily detected.

Note on IV.
Separation.
—continued.

PART II.
 Lords'
 Report, IV.
 —continued.

principle of separation should be made to pervade the entire system of the prison, and no adequate reason has been assigned for the relaxation of the rule in school, in chapel, and at exercise. It is, however, to be understood that this conclusion is not intended to limit the *cellular* and other religious instruction which the chaplain may think fit to administer to any prisoner.

4. The justice of this view is generally admitted, except as regards the association of prisoners in chapel. Upon this point the evidence is conflicting.

The main objections to the use of separate compartments in chapel appear to resolve themselves into two; one moral, the other mechanical. The first is grounded upon the opinion that a gaol chapel ought to be as much as possible like a parish church; the second arises from the belief that the compartments, from the mode of their construction, tend to facilitate rather than impede communication between the prisoners, and to induce them to deface the panels of the stalls by indecent writings or drawings. Neither of these objections seems to the Committee to be valid. With regard to the first, they conceive that the benefits which may be derived from giving a more devotional character to the chapel cannot outweigh the advantages of preventing the communication of prisoners with each other, and of rendering difficult their recognition by their fellow-prisoners on their discharge. With regard to the second objection, the Committee think that by adopting arrangements of the same nature as those which are in force in Bristol Gaol, the separation of the prisoners may be effected without difficulty. For these reasons the Committee recommend that the separate system should be carried out in the chapel as well as in every other part of the prison.

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Note on IV.
 Separation.
 —continued.

Masks have been useful in some prisons in this country during hours of associated labour, when there is separation by night. The worse criminals dislike them, the better sort are protected by them from the possibility of recognition after leaving prison.

Prisoners in whose case differences of proved criminality are probably rather accidental than real, should be classified not according to crimes but according to industrial good conduct. Those newly admitted should not be mixed with those who have been long in prison, to the detriment of any reformation which may have been begun in the latter.

Lastly, with the mode proposed in the Lords' Report for compelling the introduction of proper arrangements in gaols under local control, may be compared the provision in the Statutes of Canada (Consolidated Statutes respecting the Criminal Law, c. 110. s. 14): "From the time this Act takes effect every gaol erected in this province shall be made and built according to a plan approved of by the inspectors and sanctioned by the Governor, and no gaol built after this Act takes effect in any district in Lower Canada or in any county in Upper Canada, otherwise than according to a plan approved and sanctioned as aforesaid, or that does not after its completion receive the approval of the said inspectors, shall be deemed to be in law the gaol of such district or county." And the following provisions (*ib.* ss. 16–20) regarding existing gaols in Upper Canada, to the effect that the inspectors shall within a given time report on improvements required in prisons; that the county authorities shall confer within a given time with the inspectors upon these alterations, having regard to the ability of the locality; that if the county authorities and the inspectors do not agree upon the alterations required, the decision shall be for the Governor in Council; and that the county shall raise by direct taxation a sum sufficient to provide for the alterations which may be so determined to be necessary. Compare sect. 9 of the Imperial Act for the Government of West Indian Prisons, 1 & 2 Vict. c. 67. Sect. 9.—"And be it enacted, that it shall not be lawful to imprison any person in any of the said prisons which the Governor shall certify by any writing under his hand, directed to the justices or other persons having authority over such prison, to be unfit to be used as a prison; provided that in every such certificate the grounds of the unfitness shall be fully set forth, and that the Governor shall not issue any such certificate until after he shall have given notice of his intention to the said justices or other persons aforesaid, and shall have required them to cause such prison to be amended in those particulars, and shall have allowed a reasonable time for making such amendments."

Disobedience of statutory obligations may always be punished by prosecution for misdemeanor at common law. But it is desirable to provide a more special and direct remedy and penalty.

V. In regard to solitary confinement, the Committee observe that at the present time it scarcely forms any part of the ordinary treatment of criminals, except as a punishment for prison offences, for which purpose it is found to be very effective.

PART II.

Lords' Report, V.

The Committee are of opinion that it would be possible to substitute, in many cases, the shorter term of three and seven days' solitary confinement on bread and water for the present sentences, ranging from seven to 21 days' with hard labour.

By such change in sentences passed by the court the advantages of a more efficient discipline and economy in the amount of accommodation required would be secured.

The principle of sentencing offenders to solitary confinement is sanctioned by the 43rd Clause of the Mutiny Act, and the 24 & 25 Vict. c. 100, s. 70.

VI. 1. There can be little doubt that a large proportion of the discrepancies which exist in the discipline administered in different prisons is due to the different construction placed by the local authorities upon the sentence of hard labour ordered by the court. Committees of both Houses have repeatedly recommended, and various statutes have distinctly required, the infliction of hard labour; but it is clear from the evidence that there is the widest possible difference in the opinions held as to what constitutes hard labour. The Committee believe that, with the best intentions on the part of the local authorities, there is in many gaols a great and unfortunate misapprehension on this head, and that until some more precise definition of hard labour is assigned, the grave public inconvenience and injustice which now arise from the inequalities of penal discipline in neighbouring counties, or even in parts of the same county, must continue in full force. The first step towards a better and more uniform system throughout the country would, in the opinion of the Committee, be found in an authoritative definition, by Act of Parliament, of the term of hard labour. Nor does there seem to be in this any practical difficulty. Of the various forms which are in force in the several prisons, the treadmill, crank, and shot-drill alone appear to the Committee properly to merit this designation of hard labour. Of these the treadmill and the crank form the principal elements of penal discipline, and might be safely prescribed as such in any future Act of Parliament. But whenever the local authorities may think it necessary to supplement the treadmill or crank by further hard labour, recourse may satisfactorily be had to shot-drill, and this form of hard labour may be combined with the industrial employment in the later stages of imprisonment. Industrial occupation, though it may vary in amount and character, is so

NOTES.

V. Solitary confinement in this country means confinement by day and night in a light cell without occupation. No books are allowed except, in some prisons, the Bible. The prisoner is visited daily by the governor and the medical officer, and may be seen at all times by the chaplain. The warder who brings the meals is forbidden to speak. Exercise is not permitted, unless by special order of the medical officer.

Note on V.
Solitary confinement.

VI. That the mild forms of labour generally in use in colonial prisons have no considerable deterrent effect is an objection commonly raised and even enforced by the colonial authorities themselves. The form of labour perhaps most in favour in those places which think it necessary to provide means of carrying out the sentences of the law, is that of gang labour in the open air on roads or other "public works," not of a laborious kind. Labour of such a kind is (to use the words of the late Administrator of the Government of Grenada) in many instances futile as an aggravation of the sentence. "It is rather looked upon by the prisoners as a pleasant alleviation of their incarceration, as it affords an opportunity of seeing and hearing what is passing outside of the prison; besides which the sentence is so imperfectly carried out that they do not, whilst at hard labour, accomplish one-half of the work they would have to perform in the cane fields in the same given time."*

Note on VI.
Hard labour.

On the applicability of severely penal labour to Europeans in temperate climates it is unnecessary to dwell. With regard to other climates and other races, there is some evidence in the answers to interrogatories; and its result is that, subject to some modifications of quantity or duration which are required by weaker frames and enervating climates, the same punishments have generally similar effects in all countries and on all races.

* Compare St. Vincent, answer 6, for another effect of this practice.

"Divers causes might be assigned for the increase in the number of prisoners. Since the riots of 1862 it has been observed that the minds of the peasantry have become unsettled. The sight of so many persons in the convict garb, after those occurrences, appears to have dispelled the salutary dread of penal labour which had prevailed theretofore. Cane stealing and other petty offences became more frequent; and either from unwillingness or inability to pay the fines imposed on them, persons convicted before the magistrates adopted the alternative of going to gaol."

Whether or not the explanation is good for the particular case, it is probable that familiarity with the sight of well-fed prisoners at easy work would tend to demoralise the people.

PART II.

Lords'
Report, VI.
—continued.

much less penal, irksome, and fatiguing, that it can only be classed under the head of light labour. The picking of oakum must be regarded as an intermediate form of work; but under no circumstances, and to no class of prisoners, can industrial occupation be made an equivalent for a corresponding amount of hard labour, as administered by means of the wheel, the crank, or the shot-drill.

2. It has been alleged in the course of the evidence, that the use of the treadwheel and crank degrades, irritates, and demoralizes the prisoner; but the Committee, after full consideration, see no reason for entertaining this opinion, and, under certain conditions, they highly approve of the use of both these instruments of prison discipline. Productive labour, indeed, holds out to the local authorities the hope of some profit, and is somewhat less irksome to the prisoner; it is therefore frequently urged that the crank and wheel, if used at all, should be confined to the pumping of water or the grinding of corn, or some other remunerative work. The Committee cannot subscribe to this view. If the local authorities can make use of the crank or treadwheel for productive work, the Committee see no objection to such an arrangement, but they think it essential that every prisoner sentenced to hard labour should be employed upon the crank or treadwheel for a minimum period, and that in no case should the regular enforcement of this system be relinquished or impaired for the sake of making the labour remunerative.

3. In considering the effect of any particular discipline, the Committee have had to look not only to the nature and the amount of the hard labour to be required of every prisoner in order to secure a certain uniformity, but they have thought it their duty to take into consideration the further difficulties involved in the different lengths of sentences. The labour which is fitting and salutary for a prisoner undergoing a sentence of six, nine, or twelve months, may not be so appropriate, physically or morally, if applied during the last year of confinement. It appears difficult to lay down any precise rule for the more advanced stages of imprisonment. There is much disagreement, both of opinion and practice, on this point, and it is for the local authorities to determine how far the proportion of hard labour which the Committee are now prepared to recommend for the earlier stages of imprisonment may be carried on, supplemented, relaxed, or modified by some other form of employment. As regards the short sentences or the earlier stages of imprisonment, the Committee believe that they are adopting a safe and a moderate standard when they recommend that every prisoner sentenced to hard labour shall, unless exempted

NOTES.

Note on VI.
*Hard
labour.—
continued.*

The treadwheel was used in Trinidad for negroes as well as white men from 1847 to 1860, and "not a single injury or ill effect in any way followed its use." It was until recently used in Bermuda, the Governor says, "with very salutary results on the worst classes of offenders. This mode of punishment certainly appeared to have a more deterrent effect on felons than any other description of hard labour that has been practised in these gaols." A treadwheel has been in use since the spring of 1866 in the Jamaica penitentiary, and is said to have a beneficial influence, and to be spoken of with dread. Shot-drill of a more severe kind than would be permitted in this country has once been tried and found safe and effective in the Virgin Islands. And although the list of experiments of which an account is given stops here, the opinion generally expressed by colonial authorities is to the same effect. In Trinidad, where the value of the prisoner's industrial labour is much considered, and where insolvent debtors are compelled to labour (Superintendent's answers, 1.), although the authorities condemn the use of solitary confinement and the unproductive labour of the treadwheel for men, it is nevertheless thought that the wheel would be very good for women (Superintendent's answers, 3). Short and sharp terms of strict separation and hard labour would seem peculiarly appropriate for races sunk in fatalism and listlessness, to whom the mere loss of free action is no hardship, and for races talkative and averse to regularity and work. At the same time allowance must be made for climate, which may necessitate some reduction of the hours of labour, if not of the term of sentence. Light weights (such as are many Asiatics) will require a more easy wheel, and regard must be had to other physical peculiarities, for instance, the liability to rupture of the spleen, which is said to be proper to some races of East India, and which might be an objection to the use of shot-drill.

Particulars of the treadwheel and shot-drill are to be found in the Appendix to the Report of the Lords' Committee.

Note on VII.
*Industrial
labour.*

VII. Since industrial labour may properly follow the more penal labour, and in some countries it may be financially impossible for a time to introduce the best system, it is of great importance to determine the form of industrial labour which is best. It will be that kind which is most severe, requires least instruction, and with these qualifications is most profitable. Trades which require constant communication with instructors are

by medical authority on grounds of health, be employed at the treadwheel or crank not less than eight hours per day the first three, and not less than six hours per day during the next three, months of the first year of imprisonment. They further recommend that all gaols and houses of correction shall, as a condition to their receipt of the Treasury allowance, both be provided with a sufficient supply of hard labour machinery for the average number of male prisoners sentenced to, and medically fit for, hard labour, and be annually certified to the Secretary of State as giving the full daily minimum work on treadwheel or crank as described above.

4. It is, however, essential that the treadwheels, as far as possible, be of an uniform pattern and construction, divided by proper partitions, with machinery yielding the same number of revolutions in a given time, and with steps of an equal height; that the cranks be also of an uniform construction, giving a fixed pressure, and the screw now regulating that pressure be omitted. Where, however, any gaol is already furnished with a treadwheel, which can be certified by the inspector as effective, it would be desirable that the Secretary of State should sanction their provisional use, subject, however, to the condition that the pressure of the cranks be adjusted as nearly as possible to the fixed pressure. It is desirable that a register should be attached to the treadwheel and the ordinary crank, and that wherever the cellular crank is used, an index to record the number of revolutions effected should be fixed within sight of the prisoner.

5. It will be seen that under the changes here proposed a minimum of hard labour is provided during the first six months of a prisoner's confinement. The Committee do not think it necessary to extend their recommendations into further detail, and they believe it will be best left to the local authorities of any gaol, in which there are the means of giving industrial occupation, to determine whether, and to what extent, such employment should be a substitute for hard labour during the remainder of the imprisonment; but wherever such employment is given, not less than nine hours per day should be allotted to it.

6. These recommendations, indeed, fall very far short of giving practical effect to the full powers of punishment sanctioned by the 4 G. 4. c. 64. s. 10; and if the minimum scale of hard labour indicated in the above paragraph be adopted, there will be in the case of prisoners undergoing the shorter periods or the earlier stages of confinement a considerable portion of the day to be disposed of. It will be under such circumstances,

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objectionable, because such communications detract from the depressing influence which is a most important penal instrument. Oakum picking is found in this country to satisfy the required conditions better than most other kinds of labour. Stone-breaking is sufficient only if carried on under such conditions of isolation and taskwork as will prevent communication or distraction, and obviate the prisoner's tendency to "move slowly, hit lightly, and stop often." In the prisons of Bengal the weaving of gunny is found a good form of labour. It can be perfectly learnt in six weeks, it pays, and it exercises a great number of muscles. Twenty yards can be exacted in a day, and each yard requires 365 threads for weft, each placed by a pull of the beam equivalent to lifting seven pounds one foot. The Commission on Penal Servitude (1863) recommended for convicts the quarrying and dressing of stones, as requiring little space, easily learnt, severe, unfavourable to communication, comparatively profitable, and valuable to the prisoners after liberation. It has, further, the great advantage of being easily measured.

Note on VII.
*Industrial
labour.—
continued.*

The argument is sometimes used in favour of labour on roads and public works, (a form of labour which combines the defects of being incapable of measure, not severe, and productive of communication with the outside world,) and against labour at manufactures within the prison walls, that the latter is an undue competition with private capital and labour. It is evident that the form of labour most for the interest of those on whom the cost of the prison falls is that which produces the largest return for the cost of maintenance. The first cost to the taxpayers is the same in both cases, and, though individuals may be affected, any labour which is not so productive as it might be made is a form of loss to the community. It is better to employ the prisoners on what will not interfere with free labour, only if there is at least equal profit.

An important question with regard to industrial labour is that of the contract system. This system has been much tried in America, and with what results the following extract from the nineteenth annual report of the Prison Association of New York will show:—

"The Association reiterates and emphasizes the views heretofore expressed in reference to what is called the contract system. The method of utilizing the labour of convicts by farming it out to the highest bidder is objectionable on many grounds. It is liable to a

PART II.

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—continued.

as already explained, competent for the local authorities either to devote that time to industrial occupation, where they have the means of so doing, or to prolong the hard labour at the crank and treadwheel if, upon consideration, this should be found expedient; but there will be cases where industrial employment cannot be given, and where it is desirable to make some variation in the labour of the wheel and crank. In such cases it seems to the Committee that recourse might well be had to shot-drill. The experience of the Naval Prisons clearly shows that a simple form of shot-drill is perfectly applicable to other than military offenders, and if the shot be slightly raised from the ground this punishment is free from all possible objection in a physical point of view. They recommend it on the grounds of efficiency, simplicity, and economy, as a form of disciplinary correction in aid of, and supplementary to, the hard labour of the wheel and crank.

Lords'
Report, VII.

VII. The Committee have had their attention strongly directed by many witnesses, on the ground both of profit and of individual reformation, to various modes of industrial employment which are provided in different gaols with more or less success. The Committee have not pursued their inquiry far enough to determine with any certainty what proportion the work done bears to its average cost. They are inclined to doubt whether under the usual circumstances of any gaol the return from such labour can be said to be very remunerative; but at all events they are of opinion that a profitable return from industrial employment ought not to be made the test of prison efficiency. It is not applicable to all classes of prisoners, or to all individuals amongst them. Where even it is most extensively in operation it does not appear to be the practice to estimate the labour done by task or piece work, and, by the admission of many witnesses, it would be difficult to do so. The extent and value of that moral influence which industrial employment exercises upon the mind of the prisoner is a matter which is much debated, but which is obviously not susceptible of direct proof. The truth probably lies between the extreme views of those who lay great stress upon and those who altogether deny the existence of such an influence. The Committee are, however, of opinion that industrial occupation is wholly unfit for those offenders who are undergoing a short sentence or are working out the earlier stages of their imprisonment. On all grounds it ought to follow upon the hard labour of the treadwheel or crank, and ought not to be accepted as an equivalent for them.

NOTES.

Note on VII.
—Industrial
labour.—
continued.

variety of grave and pernicious abuses. It introduces an outside element into the prisons not at all in sympathy with the true ends of prison life, but, on the contrary, strongly adverse to those ends. It fosters and feeds a spirit of traffic among the convicts, and itself engages in such traffic, though all trafficking on the part of convicts is forbidden by the prison rules, as tending to obstruct and hinder proper discipline. It is in its very nature cruel and relentless in its exactions upon the time and toil of convicts, and this spirit manifests itself sometimes in extorting full labour from invalids, from whom, by the doctor's direction, is to be exacted only half the work of men in health; sometimes in feeing keepers to induce them to drive the men with rigour, and get from them all the labour possible; and sometimes in wrongfully withholding from convicts on their discharge the hard earnings due to them for overwork. It is so avaricious of the time of the convicts that it opposes as if by instinct all measures for their mental culture, their moral reformation, and their preparation for civil life by a suitable industrial training, which require a moderate degree of that commodity. It is still further, as we think, hostile to the pecuniary interests of the State, in that it puts into the pockets of individuals profits which under a wisely devised and efficiently executed system of convict labour might be made to flow into the public treasury."

Prisoners under this system have been found making up false measures under the direction of the contractors.

It may be laid down generally that if contracts are permitted, the contractors should not have access to the prisoners, but should give their instructions to the prison officers. A similar principle is laid down with reference to contracts made by the Government for convict labour on public works, in the Report of the Commission of 1863 on Penal Servitude. Whatever is gained in price by a different system is lost in discipline. Lastly, such contracts should be made only for short terms.

A system of mixed penal and industrial labour may advantageously follow the preliminary purely penal stage. A scheme for such a system is detailed in the Evidence before the Lords' Committee of 1863, 3205—3230.

In any application of industrial labour it is evidently of great importance to provide against the association of prisoners with free labourers.

VIII.—1. When Sir J. Graham issued a scale of diet for county and borough gaols, it was understood that the dietary was not an integral part of the penal system then laid down. It is, however, shown by the evidence, that in the majority of county and borough gaols the diet is supposed to form part of the punishment, and is more or less regulated upon that supposition. That this modification of the original system is a salutary one, the Committee cannot doubt. The low animal natures of too many of the criminal class, and the admitted efficiency of reductions of food in cases of prison offences, render plain the value of diet as one form of penal correction. Sir J. Jebb, in his evidence, states this very clearly: "I think that the deterring elements of the punishment are hard labour, hard fare, and a hard bed, and for the lowest class in a civil or a military prison, I should propose that those elements were applied as far as they could consistently be applied, with a view to deter the men from crime." The medical witnesses, who have been called, concur in the expediency and practicability of this view; and the Committee are of opinion that diet may be made a just and useful element of penal discipline.

2. It is always difficult to arrive at a fair comparison of the conditions of different classes of men; but it may be safely laid down, that whilst sufficient in amount and quality to the requirements of the prisoner's health, the diet ought not to be in more favourable contrast to the ordinary food of the free labourers or the inmates of the workhouse, unless sanitary conditions render it necessary.

3. The dietary of county and borough prisons is very unsatisfactory, from the total absence of uniformity, and the irreconcilable inequalities in the nature and the amount of food given, whilst the dietary framed and recommended by the Secretary of State, and adopted in many prisons, though frequently with local modifications, is not sufficiently based upon scientific and medical principles to be taken as a satisfactory guide. In the opinion of witnesses who, from knowledge and experience, are entitled to every consideration, a scale of food is laid down in Classes IV. and V. which is beyond the reasonable requirements of health.

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VIII. The proper amount and nature of prison diet is more than any other part of prison discipline a local question, to be determined only by reference to the habits of the population, together with the probable or known effects of imprisonment. Since the date of the Lords' report a committee of physicians was requested by the Principal Secretary of State for the Home Department to inquire into the best form of dietary for county and borough prisons, having reference to the principles that prison diet should be sufficient and not more than sufficient in amount and quality to maintain the health and strength of prisoners, and that it should not be in unnecessarily favourable contrast with the ordinary food of free labourers or of the inmates of workhouses. The Committee was further to determine the practicability from a medical point of view of making prisoners under long sentences pass through the dietaries belonging to the shorter sentences successively.

Note on
VIII.
Diet.

After a careful inquiry into the working of the former official scale and of other diets in a great number of prisons from 1843 to 1863 (no small experiment), they recommended (April 1864) the scale appended (Appendix E.), accepting the principle that prisoners under long sentences should pass through all the lower diets in order. They consider, however, that no proper scale of diet can be finally settled until more exact rules shall have been laid down for the kind, the amount, and the duration of labour, for "a uniform dietary presupposes a uniform discipline;" and they add several important conditions subject to which their recommendations are made. The value of their dietary for general purposes is further impaired by the introduction of much additional animal fibre, in deference to the views of the Inspectors of Prisons. Important parts of their statement are, (i.) the condemnation for penal purposes of the analysis of food into elements of carbon and nitrogen, (ii.) their acceptance of the system of progression through all the diets in succession, and (iii.) their qualification of that acceptance by the exception that prisoners who have once advanced to a higher class ought not, upon degradation for misconduct, to descend to the lowest class again. This qualification is justified by recent prison experience.

The dietaries of the Committee have been recommended by authority, and are now in use in many prisons. They are found to be excessive rather than deficient, except in the case of prisoners at hard labour during the first part of their term. The two lower scales for such prisoners are thought to be insufficient, the proof being that a large number of extra diets are ordered by the physicians. It must be borne in mind that the labour in these cases in this country is really hard labour at the wheel or crank for eight

IV.

DR. GUY'S PROPOSED DIETARY.

	Per Day.	Per Week.		Per Day.	Per Week.	REMARKS.
1. Convicted prisoners; any term not exceeding 7 days -	Bread - Oatmeal gruel - Weekly total of Solid Food -	10 pounds, 2 pints. 112 ounces.	Bread - - -	1 pound - - -	7 pounds 112 ounces.	{ One pound of bread per diem is the common allowance for prison offences.
2. Exceeding 7 days; not exceeding 21 days; or after 7 days, and up to 21 days -	Bread - Oatmeal gruel - Weekly total of Solid Food -	10½ pounds, 2 pints. 168 ounces.	Bread - Potatoes - -	1 pound - ½ pound - -	7 pounds 3½ pounds 168 ounces.	{ The early introduction of the potatoes is recommended on account of its antiscorbutic properties.
3. Exceeding 21 days; not exceeding 6 weeks; or after 21 days, and up to 6 weeks -	Bread - Oatmeal gruel - Potatoes - Meat - Soup - Weekly total of Solid Food -	8½ pounds, 1½ pints. 4 pounds, 6 ounces, 2 pints. 210 ounces.	Bread - Potatoes - Gruel (oatmeal) - -	1 pound - ½ pound - 2 pints - -	7 pounds 3½ pounds 1½ pints - 168 ounces.	{ The addition of 2 pints of oatmeal gruel is deemed sufficient for this short term. It should be salted and sweetened as in the recommended diet.
4. Exceeding 6 weeks; not exceeding 4 months; or after 6 weeks, and up to 4 months -	Bread - Oatmeal gruel - Potatoes - Meat - Soup - Weekly total of Solid Food -	10½ pounds, 1½ pints. 2 pounds, 12 ounces, 3 pints. 212 ounces.	Bread - Potatoes - Oatmeal - Indian meal - Milk - -	1 pound - ½ pound - 8 ounces - 6 ounces - 1 pint - -	7 pounds 3½ pounds 3½ pounds 42 ounces. 7 pints - 266 ounces.	{ In this dietary the bread is in excess of the military allowance up to 56 days, by half-a-pound a day: the half-pound of potatoes does not exist in the military diet. As a set-off to this excess, the Indian meal of the military diet is reduced from 9 to 6 ounces, and the milk from 1½ pint to 1 pint per diem.
5. Exceeding 4 months; not exceeding 1 year; or after 4 months, and up to 1 year -	Bread - Oatmeal gruel* - Potatoes - Meat - Soup - *On three days of the week.	15½ ounces, 1½ pints. 22 ounces, 2 pints - Cocoa, 1 pint for the gruel. Weekly total of Solid Food -	Bread - Potatoes - Oatmeal - Indian meal - Milk - -	1 pound - 1 pound - 8 ounces - 8 ounces - 1 pint - -	7 pounds 7 pounds 56 ounces 56 ounces 7 pints - 336 ounces.	{ This dietary is in excess of the penal-class diet of Millbank by 4 ounces bread and 8 ounces potatoes per diem, but it falls short of it by 2 ounces oatmeal and 2 ounces Indian meal per diem, and by half a pint of milk per diem. It would probably prove equally wholesome and nutritious.
6. Exceeding 1 year; not exceeding 3 years; or after 1 year, till the expiration of sentence in county and borough prisons -	Bread - Potatoes - Oatmeal - Indian meal - Milk - Weekly total of Solid Food -	282 ounces.	Bread - Potatoes - Oatmeal - Indian meal - Milk - -	1 pound - 1 pound - 10 ounces - 10 ounces - 1½ pint - -	7 pounds 7 pounds 70 ounces 70 ounces 10½ pints 864 ounces.	{ This diet is in excess of the penal-class diet of Millbank by 4 ounces of bread and 8 ounces of potatoes, and it reaches the full allowance of that diet in oatmeal, Indian meal, and milk. It is believed to be a wholesome and nutritious diet for men undergoing hard labour.

Arrangement of Meals in the several Dietaries.—The pound of bread in Class 1 to be given to the prisoner every morning, or twice a day, in 8 ounce rations, or three times a day, in rations of 6, 6, and 4, for breakfast, dinner, and supper. The potatoes, of course, always at dinner. The oatmeal gruel at breakfast and supper, according to the views of the prison authorities. The oatmeal, made into porridge with half a pint of milk, for breakfast. The Indian meal, with the like quantity of milk, at dinner. In Dietaries 4, 5, and 6, the bread to be distributed thus:—Breakfast and dinner, 4 ounces each; supper 8 ounces. But minor details to be left to the authorities of the several prisons. For women, the liquid elements to be as with men, but the solid food less by one-fourth.

I. MILITARY PRISONS' DIET.

An improved scale of diet, which had been in use in the Military Prison at Aldershot since August 1858, was provisionally adopted for prisoners engaged at hard labour in Military Prisons at home stations in September 1861. The following is the scale:—

Ordinary Diet.—The prisoners' diet, when not in solitary confinement, is to be as follows:

Breakfast { 8 oz. of oatmeal
 ½ pint of milk - }
Dinner { 9 oz. of Indian meal
 ½ pint of milk - } Daily.
Supper { 8 oz. of bread -
 ½ pint of milk - }

Diet in Solitary Confinement.—If in solitary confinement by sentence of a court-martial, or in separate confinement, or not employed at severe hard labour:—

Breakfast { 8 oz. of oatmeal
 ½ pint of milk - }
Dinner { 6 oz. of Indian meal
 ½ pint of milk - } Daily.
Supper { 8 oz. of bread -
 ½ pint of milk - }

Diet after 56 days' Confinement.—The following scale will be adopted for prisoners after 56 days' confinement:—

	Hard Labour Diet.	Solitary Confinement Diet.
Breakfast, oatmeal	10 oz.	8 oz.
Dinner, Indian meal	12 oz.	9 oz.
Supper, bread	8 oz.	8 oz.

With ½ pint of milk to each meal.
On three days of the week, viz., Sunday, Tuesday, and Thursday, the prisoners' diet will be as follows:

Breakfast { 8 oz. of oatmeal
 ½ pint of milk - }
 8 oz. of beef, without bone, before cooking, 2 lbs. of potatoes or 8 oz. of bread, 1 pint of soup thickened with 1 oz. of oatmeal, and 2 oz. of vegetables per man, seasoned with pepper and salt - } Daily.

Dinner { 8 oz. of bread -
 ½ pint of milk - }

Supper { 8 oz. of bread -
 ½ pint of milk - }

With the exception of the first class, whose dinner on Sundays will consist of 10 oz. of beef, without bone, after cooking, with potatoes and soup as the others.

4. But whilst these classes are probably in excess of the due amount of food, it would seem that the classes below them, I., II., and III., are, in some respects, defective as regards the quality of the diet; for whilst the Committee have had evidence to show that animal food need not enter so largely as is at present the case under the Home Office scale into the ingredients of prison food, they are not at liberty to doubt that the presence of a vegetable element, and particularly of potatoes, is indispensable as a preservative against scurvy, and that the absence of it has been proved by experience to be a very serious defect.

The evidence which has been received tends to show that a vegetable and farinaceous diet, with the assistance of milk and some slight addition of meat, might be used by prisoners without risk to health. The experience, indeed, of the military prisons shows that this is possible for the first 56 days of imprisonment, and the "Penal Class Diet" of Millbank, from which the element of meat is excluded, proves that such a diet may be safely carried on for upwards of a year.

The Committee are not indeed prepared (on their own responsibility) to recommend any one table of diet to be made uniform for all prisons in England and Wales; but they would draw special attention to the medical evidence which Dr. Smith and Dr. Guy have given, and to the four principal scales of diet subjoined.

5. It is a matter for the consideration of the Secretary of State, and of the local authorities in their various districts, how far the present scale may be with advantage modified, on the evidence which is annexed to this report and the tables of diet as laid down above; but it appears that there are still medical and scientific questions as to the effect produced by confinement upon prisoners, and as to the necessity of certain ingredients in the food, which require further investigation. Under these circumstances, the Committee recommend that a Commission be issued to inquire into these questions, with authority to determine by experiment the points referred to them.

6. Whilst the Committee admit the necessity of giving to the surgeon of every gaol a discretion by the occasional increase of food to meet the special circumstances of indivi-

NOTES.

or nine hours a day (including reliefs). A much more uniform diet has been found to succeed in Scotland. (*See Report of the Commission on Penal Servitude of 1863. Evidence 4961-5045.*) No meat is given in Scotch prisons except in soup.

Note on
VIII.—
Diet.—
continued.

The following rules may be laid down with reference to prison dietaries:—

i. Hard fare ought to be made an instrument of punishment, so far as it can be made so without permanent injury to health or temporary diminution of the capacity for penal labour.

ii. The basis of the dietary should be the ordinary diet of labourers of the country. It is unjustifiable, as a matter of discipline as well as of economy, to exceed the minimum, while it is no charity to poor prisoners to accustom them to more than they can obtain in a state of freedom. There is no doubt that at present in many colonial prisons the quantity and quality of the food are a positive inducement to the commission of crimes. The diet should in general be appreciably worse in proportion to the amount of labour performed than that of free men. "The struggle for bread is the main struggle of life, and "no punishment will ever appear very formidable to the poor, where for comparatively "light labour there is good and warm clothing, excellent lodging, and abundant food."

But an exception must be made where, as in some West India colonies in 1863-4, the food of the free man is insufficient to support health. In such cases the fact must be accepted that the prison diet must for a time be an attraction.

iii. The diet should be varied in substance for the sake of health, but should be as monotonous in form as may be consistent with this.

iv. The element of bulk is very important to be considered in framing a diet scale, since it is an element of luxury to many classes of prisoners. Some of the colonial diets which seem moderate when reduced to nutritive equivalents, are monstrous when multiplied by 3 (as in the case of rice when cooked, and in that of ground fruits when tolerably clear of refuse), and considered with reference to their distending, relaxing, and luxuriant effects in that shape.

v. The principle of progressive dietaries must now be accepted, that is, it is not necessary to commence (in the case of long sentences) with high diet, but every prisoner should pass through all the lower grades before reaching the higher.

vi. Exercise and hot food to a certain extent take the place of stimulants and of animal fibre, and will often supersede the necessity for extra diets, which are required in many cases merely as extra fuel is required by a bad grate.

vii. It does not follow that the diet is insufficient because prisoners fall off in weight.

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Report,
VIII.—con-
tinued.

dual cases, they cannot but feel that the issue of "extra diets" to prisoners who are not upon the sick-list is a power to be sparingly used and carefully watched. It should, in their opinion, be the invariable rule of every gaol, that the surgeon, when ordering extra diet to any prisoner, should not only record the fact, but should in writing specify the medical grounds upon which the alteration is made.

7. It is desirable, for the sake of uniformity, that the respective dietaries of male and female prisoners should be adjusted by a fixed rule and proportion, and that boys under 15 years of age should be classed, for the purposes of diet, with the female prisoners.

IX. 1.—The efficiency of every prison will depend not only upon its general system, but also upon its subordinate regulations. It is mainly for the local authorities to determine what these shall be; but there are some of so much importance, that it would be desirable to embody them in some future Act.

2. The Committee recommend that, during short sentences or the earlier stages of a long confinement, the prisoners should be made to dispense with the use of a mattress, and should sleep upon planks. This is, in fact, the practice in the military prisons, where "guard-beds" are in use. No evil has resulted from this practice, and recourse might advantageously be had to it in civil prisons.

3. They observe that $9\frac{1}{2}$ to 10 hours is the proportion of time usually devoted to sleep. They are of opinion that this exceeds the fair allowance due to health, and is injurious both to the prisoners and the prison discipline. They would (in conformity with the resolutions of the Committee of the House of Commons in 1850) strongly insist upon a limitation of the time, during which the prisoners are allowed to be in bed, to eight hours.

4. They are of opinion that in order to avoid interference with the discipline of the prison all school instruction should be given at a fixed time, and to a fixed proportion of the prisoners in succession. It does not seem necessary to amend the Act of Parliament which gives a discretion to the chaplain to call for any prisoner at any hour for this purpose; but it is clearly desirable that the chaplain and governor, subject to the control of the visiting justices, should come to a fixed arrangement on this subject. The evening appears to the Committee to be a very suitable time for school instruction, both as follow-

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Note on
VIII.—
Diet—con-
tinued.

Some prisoners fall off in weight on a diet which fattens others, and in the present state of science weight is not a very perfect test of condition. An analysis of the comparative weight and criminality of 400 prisoners in the Manchester prison gives the results, that if a man (being a criminal in the Manchester prison) weighs 154 pounds or more, it is five to one that he is a felon, and certain that his sentence is for more than seven days; while if he weighs less than 126 pounds, it is five to one that he is not a felon, and two to one that his sentence is for not more than six weeks.

viii. The system of leaving the diet to be provided by the gaoler at a fixed price per head, which is still in operation in some of the prisons of Canada, New Brunswick, and Ceylon, is both wasteful and destructive of penalty.

Note on IX.
—Prison
details.

IX. So the Inspector-General of Prisons in Bengal finds that from seven to eight hours sleep is all that is requisite for health in the case of Bengalis.

With regard to schooling, there is no reason to suppose that it is less applicable to black races. Wherever education is provided for them, they appear to avail themselves of it, if only it is not made compulsory, in which case a spirit of resistance seems to be aroused. Cases are not wanting in which negroes and even Asiatics in colonial prisons have manifested an avidity to learn. Education may be used as a means of prison discipline, but should on no account lead to any relaxation of the sentence. It will be found an useful employment of that portion of the prisoner's time which is not occupied in labour. Nothing further should be aimed at than elementary instruction in reading, writing, arithmetic, and the keeping of village accounts.

During exercise, separation and silence ought to be maintained, the prisoners walking at double-quick, or running, with intervals of five or six yards, in a circle, the officers walking the reverse way within the circle.

Great rigour and regularity of discipline appears to be of especial value in the case of Asiatics:—

"The penitentiary at Deegah, near Patna, was so dreaded by convicts, simply on account of the strict routine and carefully supervised labor enforced there, that they

ing upon the hard labour of the day, and as providing occupation for a portion of the time which is now passed in sleep. But they consider school as a boon granted to the prisoner, which should under no circumstances become a substitute for labour. They regard as extremely unsatisfactory a prison system in which instruction by the schoolmaster, or "self-instruction," is made the substance of penal discipline.

5. To give further effect to the above provisions as regards sleep, instruction, and reading, as well as from the great importance of the change in itself, the Committee recommend that all cells should at the earliest practicable time be lighted.

6. It appears that by the 4 Geo. 4. c. 64. s. 30, it is obligatory upon the chaplain to perform both services on the Sunday, Christmas-day, and Good Friday between the hours of nine and five. This rule is said to be occasionally productive of inconvenience, and such an alteration ought to be made in the law as will permit the performance of evening service on those days after the hour of five in the afternoon.

7. The Committee, whilst they believe that the judicious distribution of books to the prisoners may often be productive of much advantage, would suggest the importance of preventing any over-issue. It would further, in their opinion, be desirable to modify the 2 & 3 Vict. c. 56. s. 6—which provides that all books admitted into the prison shall be chosen by the chaplain for the use of prisoners belonging to the Church of England, and by the visiting justices for the other prisoners—so far as to give the visiting justices a joint discretion and responsibility in the selection and issue of all books.

8. They consider that all convicted prisoners should be clothed in a prison dress, and that the amount of clothes allowed, as also of the prison bedding, should be sufficient, but moderate.

X.—1. The possible reformation of offenders is an object which successive committees of both Houses have had in view. The House of Lords Committees of 1835 and 1847 both refer to it; the House of Commons Committee of 1850 recognizes its importance in marked terms. The Committee fully admits that it forms a necessary part of a sound penal system, but they are satisfied that, in the interests of society and of the criminal himself, it is essential that the other means employed for the reformation of offenders should always be accompanied by due and effective punishment. Sir W. Crofton, indeed, whose experience on this subject entitles him to much consideration, does not hesitate to go so far as to say that moral reformation of character is greatly assisted by a preliminary course of stringent punishment.

NOTES.

"would piteously entreat the judicial officers not to send them thither." Report of Indian Jail Committee, 1864, p. 27.

Under this head may be noticed the importance of providing trustworthy officers, especially where remissions or promotion from class to class are granted according to diligence in industrial labour. In such matters the officer has a prisoner's fate very much in his hands.

Note on IX.
—*Prison
details.—
continued.*

In the colonies there is a great demand for prison officers at salaries of 14s. a week and upwards. In this country there are many retired soldiers without employment, who might be available for such positions.

X. The difficulties are less in the colonies. In some the value of labour makes it easy for discharged prisoners to live honestly, while in others, as in some of the West Indian islands, it appears not to be thought by the coloured population any considerable disgrace to have been in prison.

Note on X.
—*Reform-
ation.*

That any rewards which may be allowed to prisoners should be obtainable only by actual industry, and not by mere obedience to discipline, seems to be now generally agreed. It must be remembered that the worst men are often the least troublesome, because they are more clever and sooner see the advantages of submission, while those who are new to prison are often irritable.

A principal question with regard to rewards is whether they should be immediate or prospective. Immediate rewards in the shape of small money earnings which the prisoners may spend from day to day are much in use in French prisons, with apparently good effect, and strong evidence in favour of a somewhat similar system was given before the Lords' Committee (1863), 2,886--2,889. In favour of this plan it is said that prisoners soon become as little children in their hopes and fears, incapable of looking forwards. On the other hand, it is argued that this is a tendency which should be counteracted, and

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Report, X.—
continued.

They also believe that the inefficiency of the present system of administering the law in ordinary prisons is shown in the large proportion of prisoners who, after undergoing a period of confinement, are again committed to prison under fresh sentences. The relapse of such prisoners is partly due to the difficulty which any one of tainted character has in finding employment.

In this view, the question of rendering assistance to prisoners on discharge, as a preventive measure calculated to reduce the rate of re-convictions, appears to the Committee to be deserving of serious consideration.

2. The Committee, whilst they are compelled to admit that the reformation of individual character by any known process of prison discipline is frequently doubtful, believe that the majority of prisoners are, within certain limits, open to the influences of encouragements and reward. They therefore attach importance to the establishment, in every prison, of various gradations, which shall rise from the penal and disciplinary labour of the treadmill, crank, or shot drill, into the higher and less irksome stages of industrial occupation and prison employments. And with that view they would make the entire system strictly progressive throughout its several stages.

3. They are further disposed to recommend the adoption of some system, such as that of marks, by which the progress of any prisoner can be recorded, and his promotion to a higher class accelerated within certain moderate limits.

But it would be undesirable, as indeed it would in practice lead to great inconvenience, to apply this modification of the ordinary discipline of the prison to offenders undergoing short sentences or the earlier stages of confinement. It might safely be attempted after the first three months; but under no circumstances should such promotion be allowed without actual work performed—concurrently, of course, with personal good conduct.

It should also be clearly understood that any relapse will be visited not only with forfeiture of the privileges gained, and a return to the more penal classes, but that it will be necessary for the prisoner, by renewed exertion, to work his way upwards through the different steps by which he has been put back.

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Note on X.
—*Reformation—continued.*

that prospective rewards become a kind of moral education, and may be a most powerful instrument of discipline, by being made liable to total or partial forfeiture upon misconduct, so that they form an accumulating fund, daily increasing the arguments in the prisoner's mind against disobedience. It may be thought that immediate rewards from day to day would interfere too much with the regularity of discipline, that promotion from class to class is a sufficiently immediate reward, and that a system which should combine such promotion with an accumulating amount of rewards, to be enjoyed only at the completion of the whole term of the sentence without relapse, would combine various advantages and form a powerful instrument of discipline.

The New York Prison Association is strongly opposed to any forfeiture of credits once earned, through subsequent misconduct, and thinks that the prisoner should feel himself to be working not for chances but for certainties. It may be that reduction in proportion to the frequency or kind of misconduct is preferable to total forfeiture.

Marks of some kind are necessary for any system of prospective credits. They should be given only for substantive industry, and not for absence of disobedience. They should not commence till after the termination not only of the preliminary strictly penal stage, but of a following probationary stage. They should be of a simple kind, in order that they may be readily understood by the prisoners, and because prison officers may frequently be not intelligent enough to carry out a complicated system.

Credits earned in prison should be payable in proper instalments, not (as often) upon proof that the released prisoner is actually earning an honest livelihood, but upon proof that he is doing his best to obtain employment. Their principal use in this regard is to carry him over the interval before he can find work.

XI. Punishments for offences committed in prison form so important a part of prison discipline that, under any system, they cannot be overlooked. The Committee believe that in many cases misconduct is best punished by degradation from a higher to a lower and more penal class, combined with harder labour and a more sparing diet, in others by the ordinary penalty of reduction of food or by solitary confinement in dark cells—if separated by a sufficient distance from each other and from the other parts of the prison—

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Lords'
Report, XI.

NOTES.

XI. *Degradation to a lower class, with hard labour and a more sparing diet.*—The experience of the last two years in this country goes to show that such degradation cannot be carried in respect of diet to the lowest point; the prisoner who has been in a high class suffers much more when so degraded than he suffered even when placed in a similar position at the commencement of his term, and commonly breaks down if the diet is reduced below a medium amount.

Note on XI.
—Prison
punishments.

Solitary Confinement.—In the answers to interrogatories there is some theoretical denial of the applicability of solitary confinement to black prisoners. There is very little direct evidence on the subject, but what there is supports the views of Governor Hincks, who says, "It is alleged that negroes would not consider solitary confinement as a punishment, but that I consider an unfounded opinion. Real solitary confinement would produce the same effect on a black as on a white man."

Corporal Punishment.—Accords, with reference to convicts, the Commission of 1863 on Transportation and Penal Servitude, Report, p. 43, paragraph 52; with the addition that "greater promptitude in the infliction of corporal punishment is also required, since its utility much depends on its being prompt. At present it cannot be inflicted without the authority of one of the directors of convict prisons, and it is impossible for these officers to visit the distant prisons, at Portland and Dartmoor, more than about once a month. We do not think that it is advisable to give to the governors of these establishments a general power of resorting to corporal punishment; but the directors might properly be enabled to leave with the governor conditional orders to inflict it in certain events; as, for instance, when a man has threatened to commit any offence, or when a repetition of previous misconduct is apprehended. The legality of such an order, as the law now stands, seems to be doubtful."

The answers to interrogatories afford much evidence with regard to the effect of corporal punishment for prison offences. It is found beneficial and even necessary in the Bahamas, British Guiana, Trinidad, St. Vincent, Dominica, Antigua, South Australia, Western Australia, Hong Kong, and Canada (Penitentiary). In Gambia it is found on the whole beneficial. From Ceylon alone the balance of evidence is in the other direction. In Mauritius public feeling is opposed to flogging as to capital punishment, but is rapidly accommodating itself to necessity in both cases. The answers from the majority of the prisons express no opinion on the subject.

A distinction is in several cases drawn between the deterrent and the moral effect of flogging. It is said to be the most effective punishment, because the most dreaded, but to have a bad moral effect on the prisoners.

Much use has been made both in France and in this country of the fact that the power of corporal punishment has been surrendered on humanitarian grounds in the prisons of some principal states in North America. But the following extract from the 19th Annual Report of the Prison Association of New York (p. iii.) shows that substitutes have to be employed which in this country would even less commend themselves to public opinion.

"The several species of punishment used in the male prisons at Sing Sing are the iron cap, the dark cell with a diet of bread and water, the yoke or 'crucifix,' the shower bath, and the ball and chain. The above punishments are sometimes variously combined to increase their efficiency. The iron cap, which is chiefly employed as the penalty for talking, inflicts no suffering at all, but expends its force in producing the emotion, more or less vivid, of shame in the wearer. The yoke or 'crucifix' is an upright iron bar with a cross bar of the same metal, to whose extremities are sometimes affixed weights more or less heavy, with an apparatus for fastening it about the neck of the culprit, and his arms are extended along the cross bar, to which they are attached by an iron ring or loop, at right angles to his body. This is undoubtedly a severe punishment, but it cannot be called cruel, since its effect is simply to produce a feeling of great weariness, and by no means either sharp or intense suffering. Punishment by the shower bath is by law required to be always inflicted in the presence and under the supervision of the physician, whose duty it is to watch its effect, and to put a stop to it whenever, in his judgment, it

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—continued.

but that where the offender is hardened, and the offence deliberately repeated, corporal punishment is the most effective, and sometimes the only remedy. The most experienced witnesses are unanimous as to the wholesome influence of corporal punishment; some, indeed, have stated, that they have never known it ineffective; and the Committee wish to record their opinion of its great value as one form of disciplinary correction.

XII.

XII.—1. The system of prison inspection arose out of the recommendations of the House of Lords Committee of 1835, and it will be seen, on a reference to the resolution of that Committee, as well as to the general course of evidence then taken, that in advising the appointment of official inspectors, it was their object to secure a general uniformity of discipline.

2. But the great and irreconcilable differences of treatment and system now prevailing, to which attention has already been called, sufficiently show that this object has not been attained.

3. Changes have also taken place in the number of, and the work performed by, the inspectors. The original number was five. This has been gradually reduced to two,

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Note on XI.
—Prison
punishments.
—continued.

is likely to become injurious to the bodily or mental health of the subject. With a restriction of this kind, enforced by an intelligent and humane medical attendant, the Committee cannot concur in the opinion urged by some that the shower bath, as an instrument of prison discipline, ought to be abolished. On the contrary, they think it, for certain offences (those arising from violent gusts of anger, for example), a punishment every way suitable and altogether happy in its effect. At the same time they incline to the belief that possibly too much use is made of it at Sing Sing, there having been 145 instances of showering there within the past year." It may be added that the shower bath has produced "injury and even death" in some American prisons (*ib.* p. 155).

It is to be observed that corporal punishment under proper safeguards has the great advantages of producing only a short interruption of penal labour, and of not injuring or greatly lowering health, while it is painful and immediate in its effect.

The greatest care is necessary to prevent excess in prison punishments. No governor or provost marshal, in the case of an ordinary prison, should have power to order solitary confinement for more than three days at a time, nor for more than one week in a month. A magistrate's warrant should be required for its further extension. No authority should have power to award more than 28 days at one time, nor more than three such periods in one year. No sentence of flogging should be pronounced except after an inquiry upon oath by a justice, of which minutes should be recorded, or should be carried into effect within 24 hours after the commission of the offence. Except in convict prisons no flogging should exceed 48 lashes, and 24 will generally be sufficient. Even a less number may be too severe for some Asiatics; for instance, in Mauritius, sentences of Asiatics to more than 15 lashes have to be executed at twice. In such cases the amount which can safely be inflicted at one time should be held equivalent to the larger number which prisoners of other races can endure. Under no emergency should any cat be used which does not conform to the authorized model.

If it be objected that in the case of prisons in remote places it is difficult for justices to visit with sufficient frequency and regularity for purposes of punishment, the answer is that in such places there is the greatest danger of cruel excesses.

It may be added that the use of corporal punishment should be as much restricted as possible, and attended with every safeguard against abuse, not only in justice to the criminals, but that public opinion may not be alienated by an appearance of severity from a system necessary for effective discipline.

Note on
XII.—Ins-
pection.

XII. Inspection is the most important means for insuring efficiency in prison management. There is abundant evidence that rules are useless unless frequent inspection secures their observance.

Inspectors ought to be specially qualified. The supervision of those who are only imperfectly conversant with the subject of prisons, and who have no means of comparing the management and discipline of a prison with what exists elsewhere, "may be influenced" by good intentions, but it is not unlikely to be inefficient." They should not be interested. Inspection by ratepayers on grand juries or in the magistracy is apt to be formal, for such inspectors are too closely faced by considerations of immediate cost, thinking their first duty to those whom they represent to be economy, and for want of knowledge of their subject are unable to make the economy long-sighted. They should be well paid, that they may have leisure for their work, and that they may be responsible.

who now divide between themselves the whole of England, Wales, Scotland, the Isle of Skye, the Orkneys, and the Shetlands. On the other hand, the amount of inspection given to the different prisons appears to be less than it was originally intended to be, and than is in itself desirable. The 5 & 6 Will. 4. c. 38. s. 7, obviously contemplates the inspection of every prison at least once in the course of the year; but it appears by the evidence that in many cases prisons are visited by the inspector only once in the course of 18 months, and that such visits average in duration from about two to four hours.

4. It further appears that it is not customary, either at the time or after the inspection of the prison, for the inspector to hold communication with the visiting justices, or even to leave any written record of his visit in the gaol, nor does their official report come under the cognizance of the magistrates in quarter sessions.

5. The Committee have had the benefit of Mr. Everest's experience as regards the course pursued at the Home Office, and on a general review of his, Mr. Perry's and Mr. Voule's evidence, they cannot resist the conclusion, that for years past the inspection of prisons has thus been reduced in most cases to a mere formality, both as regards the supervision itself and the subsequent use made of that supervision by the Secretary of State and the local authorities in counties and boroughs.

6. Under these circumstances, the Committee are of opinion that every prison should be inspected at least once in the course of the year, that the duration of such visit should be recorded, and that, in the event of any omission to visit such prison, the inspector should in his report state the fact and the reasons; that the reports, when laid before the Secretary of State, should be forwarded by him at the earliest practicable moment to the Quarter Sessions in every county, and the Town Council in every borough—such report to be addressed through the Clerk of the Peace in counties, and the Town Clerk in boroughs.

7. The Committee give full credit to both the inspectors for their wish to improve the general condition of the gaols placed under their supervision; but they feel bound to express their dissent from many of the ruling principles of prison discipline, which they, and especially Mr. Perry, have laid down. They do not consider that the moral reformation of the offenders holds the primary place in the prison system; that mere industrial employment without wages is a sufficient punishment for many crimes; that punishment in itself is morally prejudicial to the criminal and useless to society, or that it is desirable to abolish both the crank and treadwheel as soon as possible.

XIII.—1. It is obvious that to secure an efficient discipline, every gaol must have a definite code of rules under which it is governed. It is indeed clear that this was the intention of the Legislature. The 5 & 6 Will. 4. contemplates the existence of certain regulations in every prison, and with that view, a code of rules has been issued by the Secretary of State for the information and adoption of the local authorities.

But as their acceptance is left to the discretion of the local authorities, a comparatively small number of gaols in England and Wales have adopted the rules as framed by the Secretary of State. In some prisons neither the rules as laid down by the Secretary of

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Their office should be honoured by exemption from civil duties, such as serving on juries or administration of poor laws.

Inspection should in general be made at least twice in each year. It should, if possible, be without previous notice given. It should extend to every part of the prison management. Small prisons require more frequent and minute inspection than large prisons governed by superior men with a position to lose.

In connexion with this mode of supervision it may be added that inquests ought to be held in all cases of death in prison, whether or not the medical officer certifies the death to have resulted from natural causes. Inquests are a protection both to him and to the prisoners.

It is important to invite public interest. With this view visitation should be encouraged, and annual statements of results, defects, and requirements should be sent to the local journals.

It should, however, be mentioned that the visits of women are found in America to produce an undesirable excitement, with very bad moral effects, on male prisoners.

XIII. Uniformity of rules, at least in all prisons under one government, is desirable, both for uniformity of discipline and to facilitate inspection, which must be to a great extent impeded by a variety of regulations.

Rules laid down by supreme authority should not be very minute. Much must be left to the governors, especially of the larger prisons. Perhaps they should even have

Note on
XII.—*In-
spection—
continued.*

Note on
XIII.—*Rules.*

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tinued.*

State, nor any other rules framed by the governing body, and approved by him, are in existence; and in the remaining gaols the regulations vary indefinitely according to the views of the governing body.

It is indeed quite true, that it is within the competency of the Secretary of State, under 5 & 6 Will. 4. c. 38. s. 6, on default of the framing of the regulations by the local authorities, to certify such rules as he shall deem necessary for the government of any prison, which shall then become binding. It appears, however, that this power has never been exercised by the Secretary of State.

2. The Committee are of opinion that such rules for gaols as may be thought advisable should be embodied as a schedule in an Act of Parliament, and that the Treasury allowance should be withheld from all gaols where those rules are not in force.

XIV.

XIV.—1. The Committee have examined the governors of several of the minor gaols, who have given their evidence with great frankness, and have fully admitted the difficulties and inconveniences which arise in their management. This evidence is strongly corroborated by the inspectors and other witnesses; and the Committee, though obviously unable to inquire into each individual case, feel satisfied that a large proportion of the smaller borough prisons are deficient in proper accommodation and in the means of safe custody, and are distinguished neither by efficiency of administration nor by economy of expenditure.

Many of these minor prisons are little in use, for it appears by the judicial statistics of 1862, that out of 193 prisons in England and Wales, there were 63 which, during the entire year, gave admittance to less than 25 prisoners, and that of these there were 22 prisons which received between 11 and 25 prisoners; 14 prisons which received less than 11 and more than six, and 27 prisons which received less than six prisoners, or in some instances were absolutely tenantless.

2. Some of these gaols, such as that of Falmouth, have repeatedly been condemned in the inspectors' reports as altogether unfit for the custody and penal discipline of prisoners, and it would almost seem that the inspector in such cases has given up the fruitless duty of making his inspection and republishing his annual censure. There is frequently an unrestrained association of untried with convicted, juvenile with adult prisoners, vagrants, misdemeanants, felons; dormitories wholly without light or control or regulation exist, and in one case the governor admits that in the event of a disturbance at night amongst the prisoners the warder on duty would not be allowed to enter the room for fear of an assault

NOTES.

power to make rules, subject to disallowance by inspectors. Too minute rules are likely to be nugatory in effect, to the detriment of the general state of discipline.

Minor rules it would be unadvisable to embody in a statute, because every slight change would then require legislation, but principal rules ought to be embodied in a statute, with sanctions or penalties for their neglect.

Rules should be so arranged that those relating to the duties of each class of officer may be bound up separately. Each officer should at all times carry a copy of the rules affecting his office, and be informed that he will be held responsible for their due observance.

Care must be taken to avoid the inconveniences which may result from applying to one kind of prison rules which are applicable only to another kind. Examples may be found in the Brisbane Prison in Queensland and the Jamaica Penitentiary. At each of these prisons officers are to fire on prisoners attempting to escape, a direction proper in prisons in which felons only are confined, but which if it should lead to the death of a mere misdemeanant, such as are many of the prisoners in these cases, might produce a verdict of murder, since prison breach by a misdemeanant is not felony and does not justify the extremity of killing to prevent escape; the risk in such a case being the greater because there would seldom be witnesses other than fellow-prisoners of the offender, and it might be difficult for the officer to prove that all milder means of detention had first been tried. An instance of a similar position produced by a rule which circumstances cause to be disregarded appears in the answers from the penal settlement of British Guiana. There no flogging can be inflicted without previous approval by the Governor. But the distance from the seat of government is so great that the flogging is submitted for approval only after infliction. Under these circumstances the officer directing the flogging might be liable in an action for an assault, and a prisoner causing death by simple resistance to the infliction might be held justified in law.

The value of rules depends entirely on the extent to which they are enforced; that is, on the efficiency of inspection.

Note on
XIII.—
Rules.—
continued.

being made upon him; occasionally two and more prisoners have been allowed to sleep in the same bed. In one instance the beds themselves have been removed lest the prisoners should break them up and make use of the fragments, whilst in another gaol the beds form so large an element in the life of the prisoners that no less than 15 hours out of the 24 are allowed to be given to sleep. It appears that in several places the building itself is out of repair or is overlooked by adjoining houses, that sometimes one man alone is in charge of the gaol and responsible for its security, that, in one case, so little facility is there for carrying on the ordinary administration of the establishment that the prisoners' food is supplied daily from the neighbouring inn, and the innkeeper's bill constitutes the only accounts which are kept, that there are times of complete idleness when neither penal labour nor light employment is given, and that amongst many other abuses communications of a contaminating and injurious tendency take place between the prisoners.

3. In reviewing this unsatisfactory and discreditable condition of many of the minor borough gaols, the Committee cannot conceal from themselves that it is in a great measure due to a disinclination on the part of the town councils or governing bodies to provide the necessary means for the proper administration of the prison. In one instance, where the visiting justices of the borough as a measure of common prudence appointed a warder to assist the governor, who is the only functionary in the gaol, the Town Council have declined to confirm this order and the warder remains unpaid.

In the same prison no chaplain has been appointed although the 2 & 3 Vict. c. 56, s. 15, makes this obligatory upon the authorities of every gaol.

4. Under these circumstances the Committee are of opinion that an amalgamation of such small gaols with the larger prisons is highly desirable and even necessary in order to secure greater economy and efficiency of administration. Powers, indeed, both of amalgamation and of contracting for the keep and maintenance of prisoners exist under the 16 & 17 Vict. cap. 43., and the latter course has been occasionally adopted, but little advantage has been taken of the former. Such being the case, the Committee recommend that further powers should be conferred upon the Secretary of State to require the corporation of any borough or the governing body of any borough gaol—where such gaol is of too limited a size to admit of satisfactory arrangements being made for the custody and discipline of the prisoners—to contract with the county gaol upon such terms as the Secretary of State shall approve. It will be desirable, after due inquiry into the local and special circumstances, that those borough gaols which are not required for purposes of present or future utility should be scheduled in a bill for entire abolition.

The same principle of amalgamation might also be perhaps beneficially adopted in some of the small county gaols.

The majority of liberty prisons were recently abolished, and there are few now existing, but their superiority over the small borough prisons is very questionable, and after due examination into each individual case the course of proceeding which is indicated above might be advantageously taken.

5. A consolidation of the various statutes and parts of statutes relating to the discipline and regulation of county and borough prisons is desirable at the earliest practicable time.

XV.—1. Although the proof of former convictions is not one which is directly involved in the question of prison discipline, the attention of the Committee has so frequently during the course of examination been drawn to the great public inconvenience which is felt from the difficulty in identifying a previously convicted prisoner, that they cannot close their report without indicating both the extent of the evil and the suggestion of a remedy. The Committee are satisfied that it is of the greatest importance that those offenders who are commencing a course of crime should be made aware that each repetition of it, duly recorded and proved, will involve a material increase of punishment, pain, and inconvenience to them.

Sir W. Crofton states, with great clearness, the prejudicial effect which the difficulty of identifying previously convicted prisoners has had in Ireland, and he has indicated photography as a simple means by which it has been in a great measure obviated.

2. The governors of Bristol, Wakefield, and Leeds Gaols corroborate the advantage of the use of photography, and the Committee strongly recommend the further extension of this system, which is inexpensive, effective, and wholly free from objection.

NOTES.

XV. A form of description for purposes of identification will be found in the Appendix to the Report of the Lords' Committee of 1863, p. 501. Further instructions are to be found in the Report of the Commission of 1863 on Penal Servitude, Appendix, p. 218.

Note on
XV.—*Iden-
tification.*

PART II. (The following four paragraphs deal with questions not treated by the Lords' Committee. They are taken in substance from the documents described in Appendix A.)

Construction.

XVI. *Construction and Sanitary Arrangements.*—i. The principal objects to be kept in view in designing a prison, are healthiness, security, and facility of supervision. Details of a separate prison are to be found in the report of the Surveyor-general of Prisons on the construction, ventilation, and details of Pentonville Prison, 1844. A similar plan has been found not unsuitable to a warm climate in Malta (Corradino Prison, Appendix C.) A plan more specially adapted to hot climates is appended (Appendix C.) The idea which it embodies is that of confinement in a space rather than in a room. Each prisoner can sleep in his own yard in the open air when the weather is hot.

ii. Space is only a condition, but it is a necessary condition, of ventilation. How much space in cells and wards is necessary for efficient ventilation is a question to be decided by local experience, but such local experience as has been recorded tends to show that even more space is necessary in tropical than in temperate climates. Thus, while about 900 cubic feet is found sufficient during long sentences in this country, the Commission which reported in 1864 on gaols in British India, laid it down that each cell should give 1,200 cubic with 100 superficial feet. Statistics of the Jamaica Penitentiary from 1861 to 1866, lead to a clear conclusion as to the dangers of insufficient space for negroes in the West Indies.

	Average inmates.	Death rate per cent. on inmates.
1861 - - - - -	307	1
1862 - - - - -	311	2
1863 - - - - -	406	3½
1864 - - - - -	576	4
1865 - - - - -	635	4¾
1866 - - - - -	640	4¼

Large cells are all the more necessary for negroes, because they suffer from the night air and will take every means to exclude it.*

iii. Prisons in hot climates should be built upon open arches. There should be perforations from the open arches through the floors of the cells for the admission of air, and a large opening in the centre of the roof of the building for its exit.

iv. Wooden cells are cheaper than masonry, but they retain smells, and in India are found to be comparatively unhealthy. Also wood is a ready conductor of communications by sound from cell to cell. Similarly, ill-arranged ventilating shafts have in some prisons been found to be effective speaking tubes from storey to storey.

v. Baths are especially necessary in hot climates. The most convenient form is that of running tanks. They should be sufficient to allow of every prisoner bathing daily during heat.

The New York Prison Association thinks that cleanliness has an appreciable effect on the temper of prisoners.

vi. Details of the "dry earth system" in the place of liquid sewerage are given in the Appendix. This system is in use in all the prisons in India, some of them containing as many as 2,000 prisoners, and in the Hulsdorp Prison at Colombo in Ceylon. The Inspector-General of Prisons in Bengal states that, when proper care is taken, this system is perfectly successful and is inexpensive.

vii. Wherever it is practicable the plan of a prison should include large grounds for raising vegetables.

viii. The furniture of a cell should comprise a board, mattress and blankets (in other than tropical climates), sheets, table, stool, food tin, salt cup, spoon, wooden fork, brush and comb and sweeping brush.

* A member of the Indian Commission places in a clear light the necessity for ventilation. After observing that the air is more liable to become charged with malaria and animal exhalations in tropical than in temperate climates, he adds—

"If air were more constantly considered as a fluid, capable of being fouled and dirtied in the same way as water is, we should be more inclined to pay attention to the natural sense of smell.

"Let us go into one of these barracks in a still night in the hot weather or rains, and stoop down so as to be on a level with the stratum of air that lies dormant over the mass of bodies, we then become aware of the condition of the atmosphere breathed by the prisoners. Their perspiring bodies throw out exhalations which are either absorbed into the bedding, to be thence evaporated, or hang in a cloud over them, to be received over and over again into their lungs. There is no means of getting rid of this cloud of noxious vapours completely; increased height in the barracks will not affect it, for the exhalations I complain of gravitate downwards on the sleeping men, and ventilation without a circulating current of air will not accomplish what is wanted."

—(Note C. to Report.)

ix. Where wards are retained they should not hold more than 32 prisoners with $9 \times 6 \times 12$ feet to each prisoner in tropical climates, besides an open roof.

x. Prisons may be cheaply built by the labour of prisoners. In tropical climates the enclosing wall may first be built, and the prisoners may then be encamped within it and complete the structure.

xi. Cells which are too small, if they are certified provisionally for short sentences, should be so certified only for a limited period.

Lastly, it is to be observed that not only is the ill health produced by sanitary deficiencies an useless and therefore unjustified evil, but it is positively injurious to penality and to the chance of reformation.

XVII. *Remissions and Tickets of Leave in the Case of Criminals sentenced to Penal Servitude.*

i. The Commission of 1863 on Transportation and Penal Servitude recommended, amongst other things—

Tickets of
Leave.

A. "That convicts sentenced to penal servitude should be subjected, in the first place, to nine months' separate imprisonment, and then to labour on public works for the remainder of the term for which they are sentenced, but with the power of earning, by industry and good conduct, an abridgment of this part of their punishment.

B. "That convicts retained in this country who may earn an abridgment of their punishment, and who may subsequently be discharged at home under license, should be placed under strict supervision till the expiration of the terms for which they were sentenced, and that the necessary powers should be given by law for rendering this supervision effectual."

The Commission suggested (with reference to A) "that the convict should be allowed to earn daily one, two, or three marks by a greater or less degree of industry. No marks should be allowed for days in which a convict only worked hard enough to escape punishment for idleness, but any exertion beyond this should have its proportionate reward. The marks earned by industry ought also, as in Western Australia, to be liable to forfeiture by fines for misconduct. Instead of debiting the convict with a certain number of marks, to be earned before he obtained his discharge, it would be better to take one day off the time for which, under his sentence, he would be subject to coercion, for so many marks earned by him. By the former system, if the convict had not been industrious during the earlier part of his punishment, or if he had incurred a large forfeiture of marks by misconduct, he would have no motive for exertion towards the close of his sentence, since he would have no chance before it expired of earning the amount placed to his debit; but if for every six or some other number of marks earned by him a day were taken off his punishment, the motive to exertion would continue in full force to the end. The amount of remission which a convict would be enabled to earn by industry would be determined by the number of marks required to gain a day. If three marks were the maximum given for the best day's work and also the number required to earn one day's remission, a convict who gained the maximum credit every day from the beginning to the end of his sentence, and never incurred a single fine for misconduct, would abridge his punishment by one half. He would shorten it only by one-third, or one-fourth, if six or nine marks were required to earn a day's time."

The Commission further suggested "that the amount of punishment to be remitted to convicts should be regulated, by allowing them one day's remission for every six marks earned by them, in the manner we have described above, while employed on public works. We do not propose that they should earn marks while in separate confinement, because they are not then subjected to hard labour, and cannot therefore reasonably claim what is intended as a reward for industry. By this arrangement, a convict, by the highest industry throughout the time of his punishment, coupled with the absence of any misconduct, would be enabled to obtain his ticket of leave when he had completed two-thirds of the time he would otherwise pass in associated labour."

The Commission further considered (with reference to B) "that the system of discharging convicts under licence, coupled with a general prolongation of sentences of penal servitude, and arrangements for placing convicts, when so discharged, under effective control and supervision, would afford the best prospect of giving to society a real protection against criminals, without subjecting them to undue severity. No doubt there would be much difficulty in securing an effective supervision of convicts discharged at home under licence, but the object is one of such extreme importance that it ought to be attempted. With this view we are of opinion that licence holders

PART II.

“ought to be placed under the supervision of an officer of the convict department, who, with proper assistants, should discharge with respect to them the duties performed in Dublin by Mr. Organ. As in Dublin, the support of the police ought to be given, when required, to the officers entrusted with this task, but in other cases the police should abstain from any interference with the licence holders, in order not to increase the difficulty of their obtaining employment. Some changes in the law would be necessary, in order to enable the Government to exercise a proper authority over this class of convicts. In the first place, in order that a licence holder may be compelled to preserve his licence, it ought to be made an offence for him not to produce it, when duly required; and there ought to be a power given to apprehend licence holders believed to have been guilty of misconduct, before the actual revocation of their licences. Provision should also be made for enabling magistrates to hear evidence upon oath, as to any breach of the conditions indorsed upon the licence imputed to the licence holder, and to adjudicate upon the fact with a view to the revocation, or, in trivial cases, the suspension for a longer or shorter time of the convict's licence. Above all, it ought to be provided that if a licence holder is convicted of any serious offence, this shall be considered such a breach of the conditions of his licence as to cancel it, making him liable to be remanded to a convict prison, for the whole portion of his original sentence that remained unexpired when he was discharged, to which should be added the term of any new sentence he might have incurred. This last provision would remove one of the causes which has most tended to render nugatory the conditions indorsed upon licences. Under the law as it stands, these licences have generally not more than six or nine months to run when first granted; hence, if the holders are committed to prison for some new offence, it generally happens that by the time they come out so little, if any, of their original sentence remains unexpired, that it is not worth while sending them back to a convict prison, where perhaps they would only be detained for a few days. They thus practically escape incurring any punishment whatever for the breach of the conditions on which they were released.”

These recommendations of the Committee were subsequently embodied in a statute (27 & 28 Vict. c. 47), and the Principal Secretary of State, in a circular addressed to the judges in reference to this statute, set forth that “in accordance with the strong recommendation of the Royal Commissioners an important modification is about to be introduced into the convict system in preference to the *granting of remissions*. Instead of these being granted as a reward of general good conduct, as heretofore, they are now to be earned by industry alone; general good conduct (such as implicit obedience to all prison rules) will be as indispensable as before, but will of itself count as nothing towards the obtaining a remission of a portion of the sentence; that can only be gained by steady and laborious industry, the degree of which will be measured and recorded every day by the assignment to each convict of a certain number of marks. A maximum amount of remission is fixed as the utmost which can be attained by perfect industry, and the number of marks is so regulated that a convict must obtain the maximum number of marks every day (without any deduction for misconduct) in order to get the maximum remission. The sentence, therefore, is absolutely certain up to a certain point, but may possibly extend beyond that point, and will inevitably do so, unless the convict persistently and strenuously exerts himself. The principle adopted is a maximum remission of a *fourth part* of that portion of the sentence which remains after deducting nine months for separate confinement.”

ii. A system of remissions with tickets-of-leave has long been in operation, with beneficial results, in British Guinea and Barbados.

iii. The less difficulty will be found in organizing a system of remission in many of the colonies, because labour is so much in demand that work is easily found and no questions asked.

iv. The form of an ordinance regulating conditional pardons, remissions, and tickets-of-leave is appended. (Appendix F.)

Juveniles.

XVIII. *Juveniles*.—i. The Lords' Committee of 1847 on the “Execution of the Criminal Law, especially respecting juvenile offenders and transportation,” reported it to be a very general opinion that magistrates might safely and advantageously be armed with a power of discharging juveniles for slight offences, upon taking the recognizances of parents or masters for the good behaviour of the party. The Committee also recommended that trial should be made of a suggestion that, wherever it is possible, part of the cost attending the conviction and punishment of juvenile offenders should be legally chargeable upon their parents.

ii. Much important information with regard to the treatment of juvenile offenders in reformatories and otherwise is collected in the report for 1851 of the Surveyor General of Prisons on the Discipline and Management of Convict Prisons, &c.

XIX. *Reports and Statistics.*—Records and reports amount to an important form of supervision, less immediate but more perpetual and continuous than personal inspection. Accurate statistics are indispensable as tests of systems and as a basis for legislation. Some principal points which should be included in reports from each prison to the colonial executive and in the general statistical statements are suggested in the Appendix (H.)

Returns of sickness, mortality, and prison punishments should be made from each prison to the executive at least once in each quarter, in order that attention may be drawn to evils in progress.

Annual statistics of crime for each colony should be accompanied with a notice of any changes, social, legal, or administrative, of a kind to affect the reality of apparent increase or diminution in any form of crime. The appended report of the Procureur Général of Mauritius is in many respects a model of what such notices may be. (Appendix K.)

XX. *General Summary.*—The purposes for which the punishment of offenders takes place, the Lord Chief Justice of England says, in a memorandum annexed to the Report of the Commission of 1863 on Transportation and Penal Servitude, are twofold :

Purposes of punishment of criminals.

“ the first, that of deterring others, exposed to similar temptations, from the commission of crime ; the second, the reformation of the criminal himself. The first is the primary and more important object : for though society has doubtless a strong interest in the reformation of the criminal, and his consequent indisposition to crime, yet the result is here confined to the individual offender, while the effect of punishment, as deterring from crime, extends not only to the party suffering the punishment, but to all who may be in the habit of committing crime, or who may be tempted to fall into it.

“ Moreover, the reformation of the offender is in the highest degree speculative and uncertain, and its permanency, in the face of renewed temptation, exceedingly precarious. On the other hand, the impression produced by suffering, inflicted as the punishment of crime, and the fear of its repetition, are far more likely to be lasting, and much more calculated to counteract the tendency to the renewal of criminal habits. It is on the assumption that punishment will have the effect of deterring from crime that its infliction can alone be justified, its proper and legitimate purpose being not to avenge crime but to prevent it.

“ The experience of mankind has shown that though crime will always exist to a certain extent, it may be kept within given bounds by the example of punishment. This result it is the business of the lawgiver to accomplish by annexing to each offence the degree of punishment calculated to repress it. More than this would be a waste of so much human suffering ; but to apply less out of consideration for the criminal is to sacrifice the interests of society to a misplaced tenderness towards those who offend against its laws. Wisdom and humanity, no doubt, alike suggest that if, consistently with this primary purpose, the reformation of the criminal can be brought about, no means should be omitted by which so desirable an end can be achieved. But this, the subsidiary purpose of penal discipline, should be kept in due subordination to its primary and principal one. And it may well be doubted whether, in recent times, the humane and praiseworthy desire to reform and restore the fallen criminal may not have produced too great a tendency to forget that the protection of society should be the first consideration of the lawgiver.” To this must be added the principle or condition that although reformation must be postponed to deterrence, it is imperative to prevent deterioration and contamination in prison, so far as they are preventible.

These objects being necessary, no severity will be wrong which is necessary for their attainment, and which does attain them ; but none is justifiable which is unnecessary or ineffectual.

The only exception to the general rule that considerations of deterrence must be paramount, is the case of juvenile offenders, who, as they are less open than adults to general deterrent influences, so are indefinitely more capable of being reformed, and towards whom the State may really stand in that relation of guardian *in loco parentis* in which it has been sometimes said to stand towards adults.

ii. The primary conditions of safe custody and sanitary sufficiency being satisfied, the goodness of a prison system depends on the extent to which it employs the best means for securing its objects. The means are still partially in dispute, but a few must now be considered well settled, and each of these is of importance proportioned to the fewness of the number. These are (i.) separation, (ii.) the enforcement of strictly penal and irksome labour, and (iii.) that any ameliorations (and, in the case of convicts, remissions of sentence) should be attainable only by substantive and long-continued industry. The separation, to be effectual, must be perpetual at night, and continued throughout the day for the whole of short sentences, and for a considerable period at the commencement of

Penal means.

PART II.

longer sentences, and perhaps also for a short time at their close. The labour, to be effectual, must during the whole of short terms, and a substantial part at the commencement of longer terms, be of that kind of which the only known instruments are the tread-wheel, the crank, and shot-drill. Relaxations of severity, if they are not to destroy the efficacy of penal discipline, and if they are to give a chance of reformation, must not commence until after a considerable period of strict punishment, must be attainable not by mere obedience or by professions of amendment, but by active industry, must be not irregular or sudden but strictly progressive and determined in rapidity, within limits, by the measured amount of that industry, and must be forfeited, wholly or in part, with certainty, by either idleness or misconduct.

It is the conclusion of the great majority of authorities the best qualified to judge and the most impartial, in this country, that labour at the wheel or crank, or at shot drill, is not unjustifiably severe, that it is the most or even the only deterrent kind, and that it is not more uncertain but rather, less uncertain than industrial labour. The objection of inequality lies against every form of labour which can be devised; all kinds are easier to some men than to others, whether through difference of age, of weight, stature, physical strength, present condition of health, or even of mental capability and moral endurance; labour at the wheel, the crank, or shot drill is capable of adaptation to varieties of strength, is compatible with health, and is known to be keenly felt and ill spoken of, more than any form of industrial labour, even by those classes of habitual offenders, such as receivers, burglars, coiners and passers, and vagrants, who form a very large proportion of all criminals, and who by their former persistence in crime have plainly neither been deterred nor reformed by other systems.

Organisa-
tion of a
prison
system.

iii. In the organization of a prison system in any country, a principal object to be kept in view is uniformity of discipline throughout all prisons, so that similar sentences, by whatever court pronounced, and in whatever places executed, shall mean the same amount of punishment. A consequence of that want of uniformity which consists in some prisons being lax in discipline, is that to a great extent the penal value of the better prisons is neutralized. The bad local prisons, if they are not a positive education in crime, at least fail to do their part in stopping the beginnings of criminality. It may well be that the effects of a good system will never be appreciably felt until it is universal in a country; for only then will the supply of the floating criminal population be cut off. This is a central or general interest, with which ignorance or indifference of local authorities ought not to be allowed to interfere.

Another point of organization which is of high importance and has been much neglected is that of the distribution of prisoners. Criminals of all kinds, for whom the law intended various kinds of discipline, are constantly mixed, to the detriment not only of penal effect but of economy. Already in the larger colonies there are usually three kinds of prisons, viz., district prisons, county prisons, and central prisons; but at present each kind receives all sorts of prisoners more or less promiscuously. It is suggested that central prisons should be built or enlarged so as to receive all adult prisoners sentenced for more than 12 months; that the middle sort of prisons should receive all other adult criminals sentenced for crimes triable by superior courts, as well as persons awaiting trial for crimes, and no other persons whatsoever; and that the lowest class of prisons should be confined to adults committed for debt, for contempt of court, for mere police offences, and for default in payment of fines. Such a distinction strictly observed, of first (or non-criminal), second, and third prison (or penitentiary*), might incidentally produce some effect in cultivating a discrimination of degrees of crime in the minds of the ignorant. The system would have still to be completed by a reformatory for juveniles, and in some cases by an industrial home for the temporary reception and employment of criminals discharged from the penitentiaries. Further, where there are large amounts of Asiatic immigrants, separate depôts like the vagrant depôt of Mauritius should be provided for their reception when committed for mere vagrancy or breach of agricultural contract.

Criminal
law.

iv. The criminal laws of different colonies are very various. Apart from the fact of the existence in several colonies of some dangerous if not wholly objectionable laws,† it

* The name of penitentiary seems desirable to be used. It is a link with the systems of countries the most civilized; and it is observed in America that better men will take office as heads of penitentiaries than as "gaolers" or "governors of gaols."

† The whipping laws of the Bahamas, Barbados, Grenada, and Western Australia (with reference to the aborigines) may be instanced. A law which may be harmless or even beneficial where only the dregs of the rabble are likely to be affected by it, may be oppressive and dangerous where the bulk of the people are not lifted by civilization above its reach. If a slight trespass is raised into a crime in a country where the rights of real property are imperfectly understood, respect for law in general may suffer, and great and small rules may be confounded in the same spirit of resistance. The danger is the greater where there are a dominant and an inferior race, or any remains of a spirit of slavery.

would seem that a revision of ordinances affecting the length and nature of sentences is a necessary preliminary to the establishment of a good penal system. The mode of execution of a sentence is in many respects even more important than its duration, and is in fact what chiefly determines the amount of the penalty. There seems reason to suppose that for first offences the terms should be shorter than those usually imposed in most countries, but of a highly penal kind in execution, with continuous separation; but that for habitual offenders the terms should receive the greatest extension of which public opinion will allow, not necessarily with equal regard to that separation of which the primary object is to prevent the criminalisation of persons who are not yet hardened in lawlessness.

It may be suggested that it would tend greatly to the relief of prisons now crowded with persons committed for non-payment of fines, if fines were made payable by instalments according to the rate of earnings of the offender. Such a method would also be less oppressive to poverty than the present system, would probably not have less effect on offenders, and would be doubly a gain to the country by saving the cost of maintenance in prison and by not interrupting profitable industry at large.

v. Lastly, although the explanation of an increase of crime more than proportionate to the increase of population is to be looked for first in the inefficacy of the penal system, no great diminution can be expected even from a good penal system, unaided by agents of wider operation. Certainty of detection is more deterrent than severity of punishment, and efficient police will do more than prisons. But further, while the opportunities for crime may be narrowed by means of police, the temptations to a certain extent counterbalanced by severity of punishment, and perhaps even habits of criminality corrected by reformatory treatment, the tendency to it cannot be lessened except by social measures dealing with its great sources, drunkenness and want of education.

General
measures of
prevention.

January 2nd, 1867.

APPENDICES.

APPENDIX.

- A. Principal Reports and Documents conveying Information on the Construction and Management of Prisons.
- B. Imperial Acts relating to Prisons in Colonies.
- C. Plans of Prisons in Malta.
- D. Details of the Dry Earth System of Sewerage.
- E. Dietaries.
- F. Precedent of an Ordinance to authorize the granting of Tickets of Leave.
- G. Prison Regulations.
- H. Forms of Returns and Statistics.
- I. Note on Cost of Crime.
- K. Report for 1865 on Crime, by the Procureur Général of Mauritius.
- L. Rules for smaller Prisons.

APPENDIX A.

PRINCIPAL REPORTS AND DOCUMENTS CONVEYING INFORMATION ON THE CONSTRUCTION AND MANAGEMENT OF PRISONS IN ENGLAND AND WALES.

1. Report of the Surveyor General of Prisons on the Construction, Ventilation, and Details of Pentonville Prison, 1844 (with Plans).
2. First and second Reports from the Select Committee of the House of Lords appointed to inquire into the Execution of the Criminal Law, especially respecting Juvenile Offenders and Transportation, 1847.
3. Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts, 1851; with Notes on the Construction of Prisons, Treatment and Disposal of Juvenile Offenders, &c., &c. By Lieutenant-Colonel Jebb, C.B. 1852.
4. Report on the Discipline and Management of the Convict Prisons, and Disposal of Convicts, 1852; with Notes on the Convict Question, Construction of Prisons, Hard Labour, &c., &c. By Lieutenant-Colonel Jebb, C.B. 1853.
5. Report of the Commissioners appointed to inquire into the Operation of the Acts relating to Transportation and Penal Servitude. 1863.
6. Report from the Select Committee of the House of Lords on the present State of Discipline in Gaols and Houses of Correction. 1863.
7. Report of a Committee appointed by the Secretary of State to inquire into the Dietaries of County and Borough Prisons (Parliamentary Paper). 1864.

APPENDIX B.

IMPERIAL ACTS RELATING TO PRISONS IN COLONIES

1. 1 & 2 Vict., c. 67. "An Act for the better Government of Prisons in the West Indies."

Abstract of Sections.

- I. The Queen in Council, or the Governor and Council of a colony, may make or amend rules for the government of prisons, and for the care and superintendence of the prisoners, and for the duties of the keepers and officers of such prisoners, such rules to be binding on all persons within the colony. The Queen in Council may amend or annul any rule.
- II. Rules made or annulled by Governor in Council or by the Queen in Council, to be laid before Parliament.
- III. The Queen may appoint or authorize Governors to appoint one or more inspectors, properly qualified, who shall yearly make a separate report in writing of every prison visited.

IV. The Governor may visit or authorize any person to visit prisons.

V. Penalty for obstructing inspectors or other persons authorized to visit.

VI. The Governor may suspend or dismiss officers of prisons.

VII. Periodical returns to be made to the Governor.

VIII. Plans of prisons to be sent to Governors, and alterations to be approved by them.

IX. No person to be imprisoned in any prison which the Governor shall have certified to be unfit.

X. Interpretation.

XI. Act to be proclaimed.

2. 6. G. IV. c. 69. "An Act for punishing Offences committed by Transports kept to hard Labour in the Colonies," &c.

3. 22 Vict. c. 25. "The Convict Prisons Abroad Act, 1859."

4. The annual "Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters," s. 24, as to execution of sentences of penal servitude pronounced by courts martial abroad.

APPENDIX C.

PLANS OF PRISONS IN MALTA (*see opposite*).

1. Ground Plan of Corradino Prison.
2. Ground Plan of a new Women's Prison.
3. Sections and Elevations ditto.

APPENDIX D.

DETAILS OF THE DRY EARTH SYSTEM OF SEWERAGE (from the Rules for the Superintendence and Management of Gaols in the Lower Provinces of the Bengal Presidency, 1864).

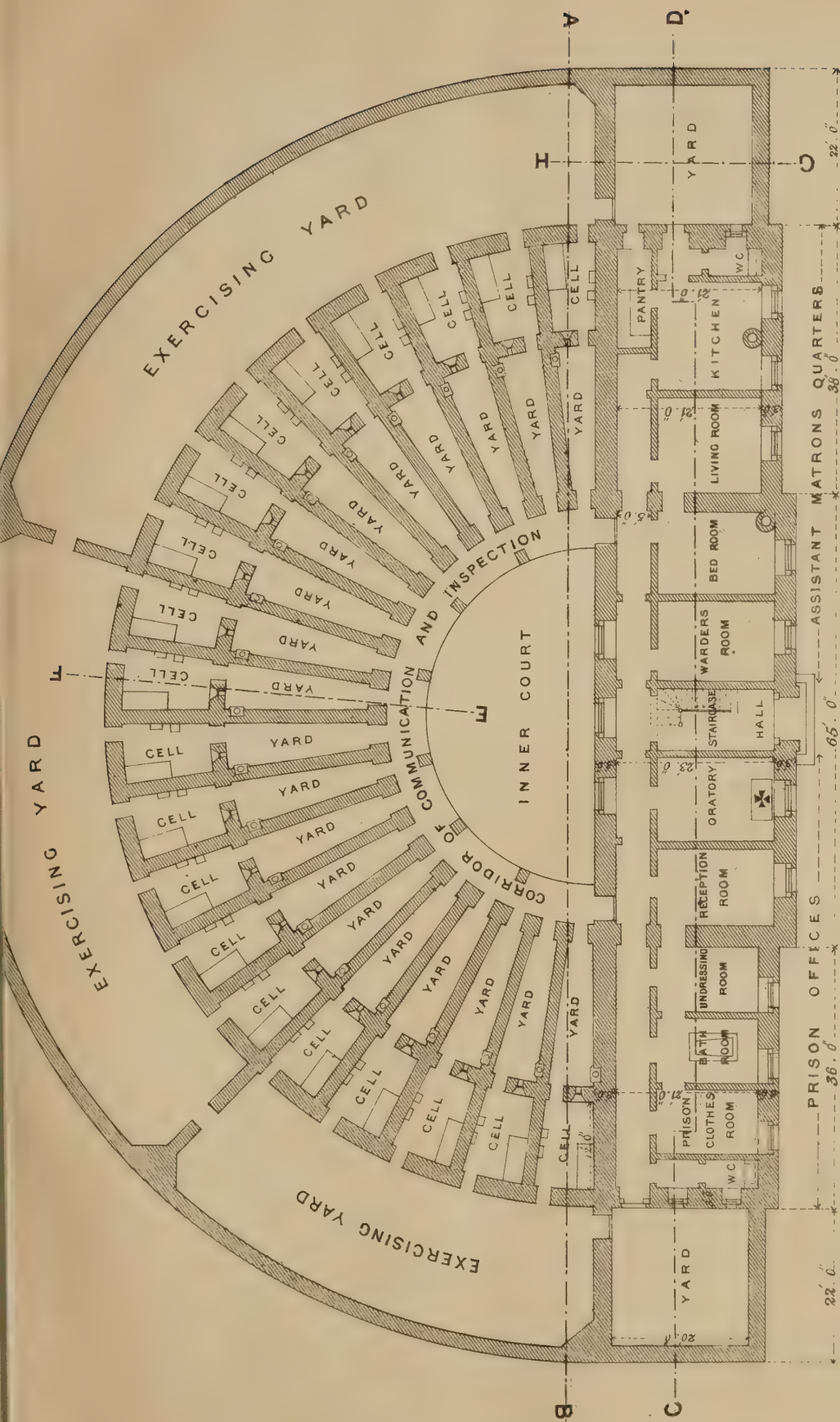
Conservancy.—Latrines and Urinals.

371. As a nuisance in a gaol may easily be avoided, its existence is an indication of inefficient administration. For successful conservancy administration it is not sufficient to give an order; there must be a perfectly organized plan, with rules for the guidance of each individual, and not only must every one have his own separate duty assigned him, but in case of neglect the responsibility must be fixed upon some one against whom the neglect or want of supervision rests. It is not only necessary to give an order, but also habitually to see that it is properly carried out; and as long as there is anything to offend the senses, the officer in charge of the gaol may rest satisfied that the system is only imperfectly carried out, and on excuse should be accepted in justification.

CORRADINO PRISON MALTA.



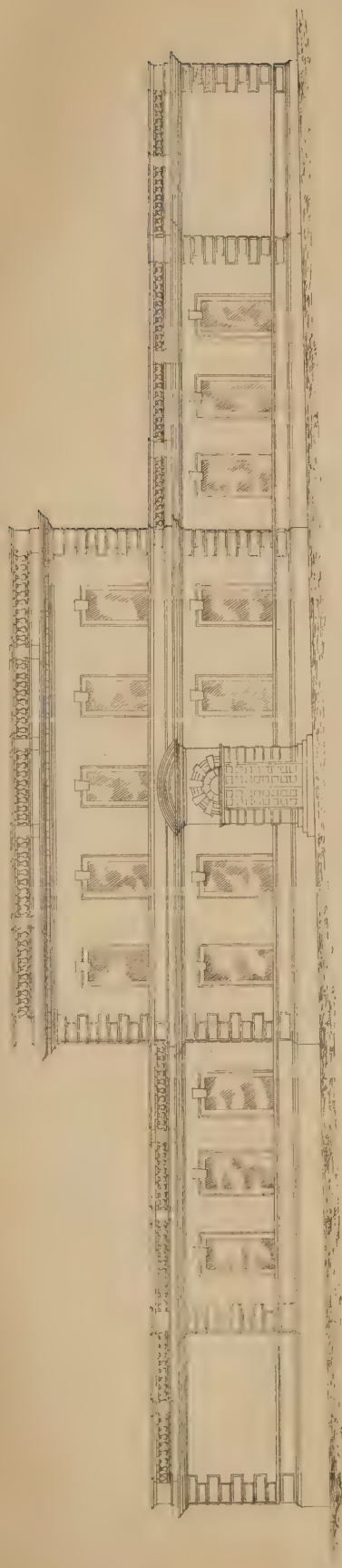
- Day & Son (Limited) Lith. London. W.C.



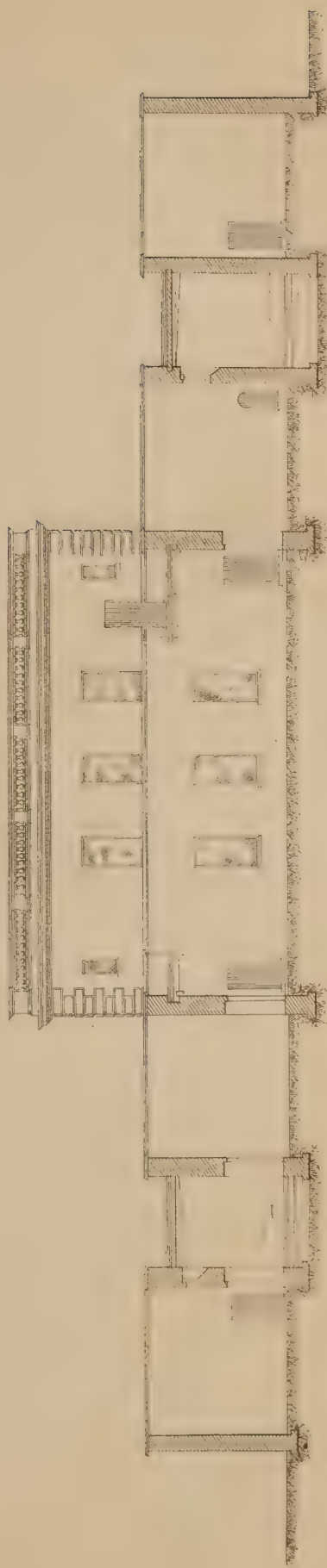
GROUND PLAN.

SCALE OF 1" = 10 FEET. 0 10 20 30 40 50 60 70 80 90 100 FEET.

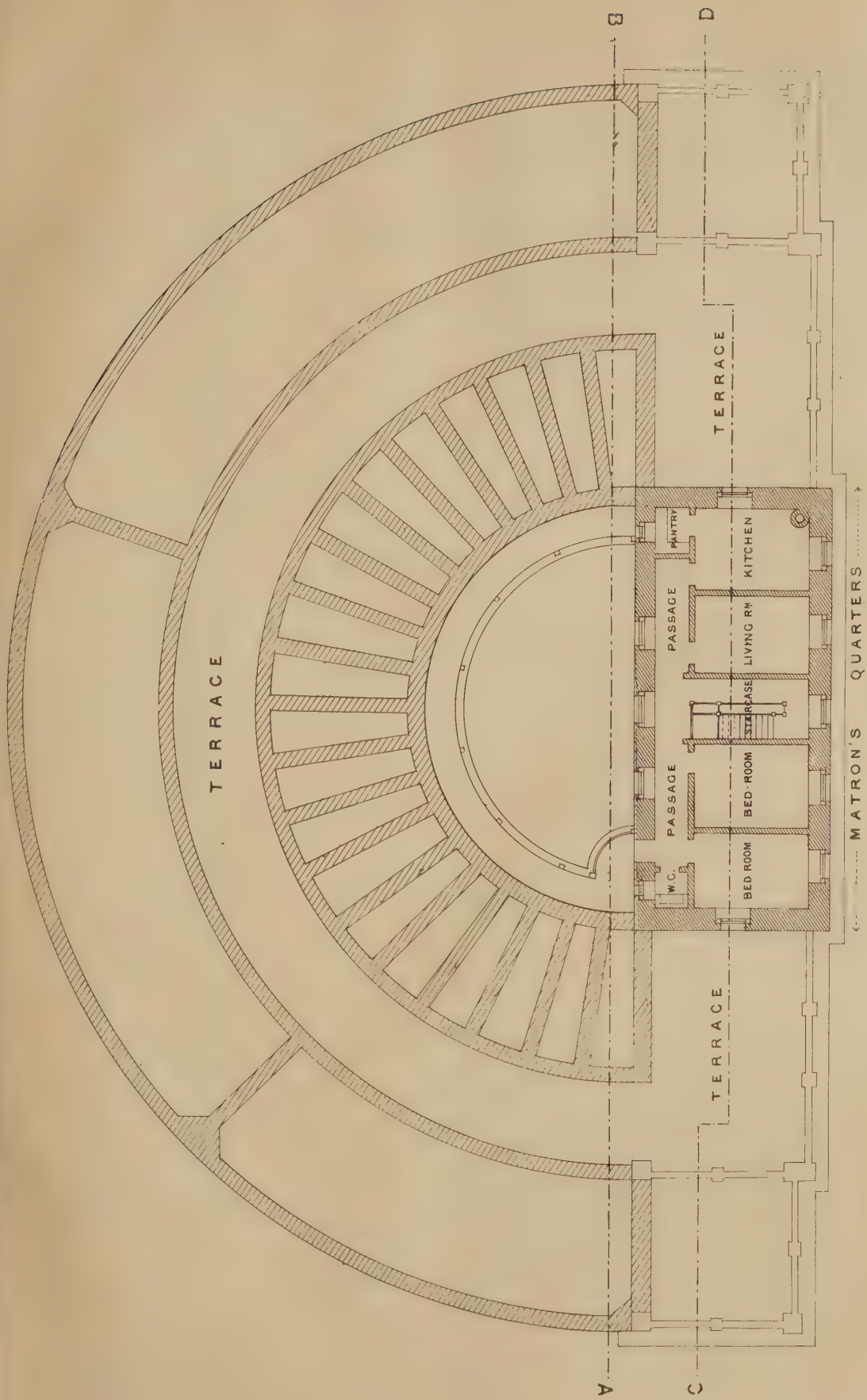
Drawn & Engraved by J. H. P. & Co. Ltd. London W.C.



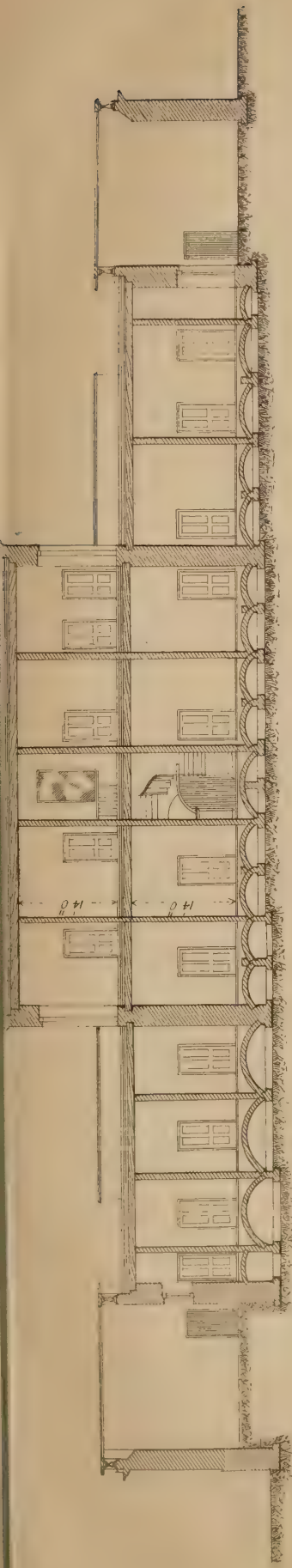
FRONT ELEVATION OF PRISON.



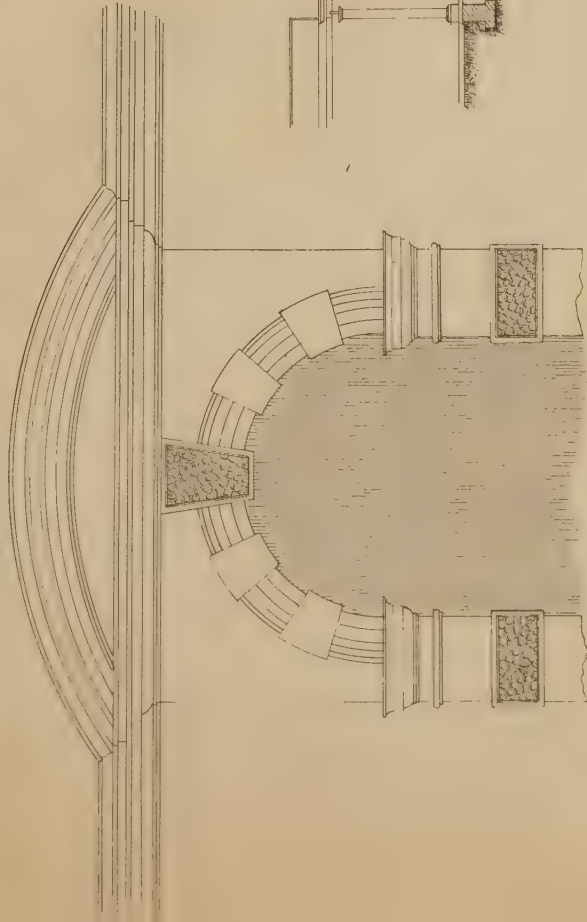
SECTION OF PRISON
ON LINE A.B.



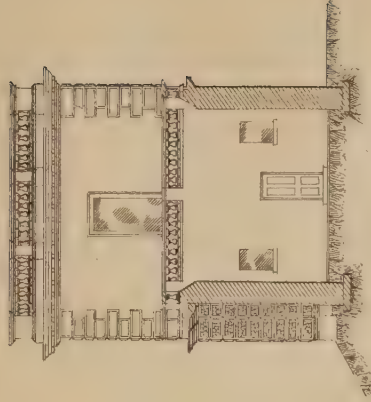
FIRST FLOOR PLAN.



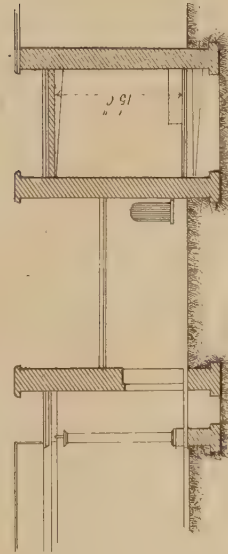
SECTION OF PRISON
ON LINE C.D.



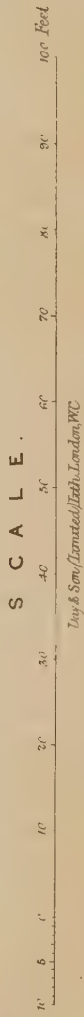
ELEVATION OF DOORWAY
FRONT ELEVATION



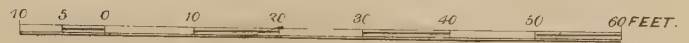
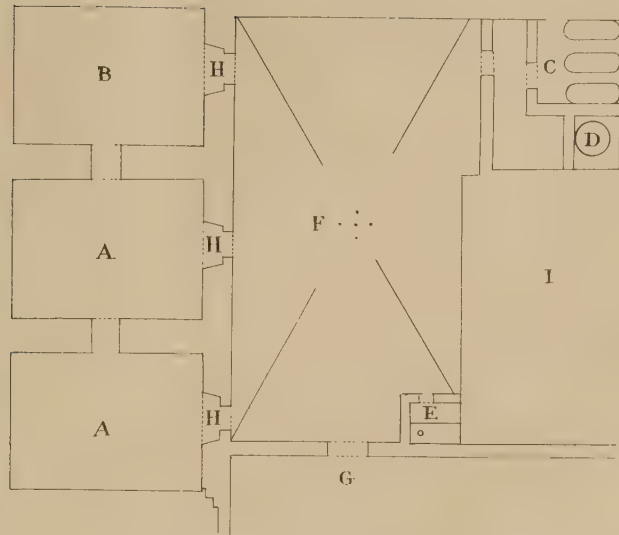
SECTION OF PRISON
ON LINE G.H.



SECTION OF PRISON
ON LINE E.F.



OSPIZIO PRISON - MALTA.



- A *Dormitory.*
- B *Dormitory & Dining Room.*
- C *Room with 3 Baths.*
- D *Room with Boiler.*
- E *Water Closet.*
- F *Yards.*
- G *Entrance from the Ospizio.*
- H *Entrance to Dormitory.*
- I *Part of the Ospizio (Poor House.)*

372. Drains of any description for sewage purposes within a gaol or its precincts are absolutely prohibited.

373. The dry earth conservancy system shall be adopted in all gaols in substitution of any other requiring the removal of liquid sewage.

374. The application of not less than two pounds of dry sifted earth to the recently voided faecal or urinary excreta of one person prevents decomposition, entirely suppresses fermentation and the escape of noxious and offensive gases, and admits of the excreta being preserved in a portable and innocuous condition.

375. The essential conditions for the success of dry earth conservancy are :—

A. Immediate application of earth to excreta.—Unless this be attended to, fermentation and the evolution of offensive products rapidly result. The subsequent application of a large quantity of earth only abates a nuisance whose prevention is enjoined. Urine should be voided into large vessels loosely filled with dry earth.

B. The use of dry sifted earth.—If damp earth be used success cannot be expected, and if unsifted earth be employed, an unnecessarily large quantity will be required, involving extra labour in supplying fresh and in removing the soiled earth. A quantity of earth from the gaol garden should be kept constantly spread out in the sun to be thoroughly dried, and during the rainy season special arrangements will have to be made for effecting this under shelter. Before the commencement of the rains, a stock of thoroughly dried and well-sifted earth should be stored in a building for use on occasions when it would be otherwise unobtainable. The last work every afternoon of a gang of prisoners should be to sift and carry a supply of earth, and deposit it in the earth reservoirs attached to each latrine, which should be protected from rain.

C. The application of a sufficient quantity of earth to the excreta.—Not less than two pounds of sun-dried and sifted earth of the most suitable kind will suffice for each use either in a latrine or urinal. The latrine receptacles having been prepared by the sweepers placing in them a layer of earth of a few inches in depth, each prisoner should be required, on each occasion of using the latrine, to throw a scoopful of earth over his evacuation.

D. The scrupulous avoidance of admixture of water with the sewage of the latrine.—Water used for personal ablution must be prevented from mixing with the sewage by providing large suitably shaped earthenware vessels loosely filled with earth conveniently placed to receive it. Rain water must be prevented from mixing with the sewage by having the latrines roofed over and the surface drainage in their vicinity directed away from them. All cesspools or reservoirs, and all drains or pipes, whether closed or open, leading in or out of the latrine, should be abolished, as opposed to the dry system. The use of water for flushing the ground, or flooring, or vessels should be prevented, and scrubbing with dry earth enjoined for cleansing purposes. The use of lime and charcoal for these purposes is strictly prohibited, the former being worse than useless, the latter a needless expense.

376. The latrine building should be of the simplest description, sufficiently screened for decency's sake, but otherwise freely open to admit of perfilation.

377. The sweepers or scavengers are to remove, morning and evening, the soiled earth from the latrines and urinals, in large baskets capable of containing 40 to 50 pounds, and deposit it in previously prepared shallow trenches, about a foot in depth, in the gaol garden. These trenches must always be kept ready for the deposit of sewage, cook room and garden refuse, and gaol sweepings.

378. Immediately the sewage has been disposed of as directed, which should at all seasons be completed before 7 o'clock a.m. and 6 o'clock p.m., the trenches should be filled up with earth, a layer of from six to nine inches being sufficient, provided that the sewage was previously in a suitable condition to be carried in

twig baskets, and to ensure this the supply of all vessels suitable for liquid sewage should be withheld.

379. At gaols where the deodorised ordure is more than is needed for or can be disposed of in the garden, it is to be covered over with earth in trenches made for the purpose, at a distance from the gaol, but far apart from wells and tanks used for drinking or culinary purposes.

Night Privies.

380. Every sleeping ward shall be provided with at least three vessels, viz., a urinal, an earth closet, and an earth reservoir with wooden scoop.

381. The urinal, loosely filled with dry earth, is only to be used for the reception of urine. Not less than one maund or eighty pounds of dry earth is to be allowed for forty uses. If urine appear on the surface in the morning it is an indication of insufficiency of earth in the vessel. It is an essential condition for success that the earth should absorb all the urine.

382. The earth closet is any suitable vessel containing a layer of dry earth into which the inmates of a sleeping ward or hospital can defæcate, a scoopful of earth from the earth reservoir being immediately thrown over the recently voided excreta. Every prisoner is to be made to throw at least one seer or two pounds over his excreta immediately after using the earth closet. The earth closet is to be solely for the purpose it is intended for; if used as an urinal failure will result, for it is an essential condition of success that the earth applied to the faeces shall be capable of absorbing their moisture, which damp earth can do imperfectly, and wet earth not at all. Ablution should be performed over the urinal.

383. To prevent nuisances around the urinal and earth closet a night light is to be kept burning in their immediate neighbourhood.

384. At 3 o'clock p.m. the night vessels shall be put in their proper places in every sleeping ward, and care shall be taken that they are placed on, and surrounded by, a thick layer of dry sifted earth, to protect the floor from being accidentally soiled by excreta. If any effluvium remain after the removal of the night vessels and the earth it is a sure sign that there has not been a sufficiency of the latter.

385. Immediately after the prisoners vacate the sleeping wards in the morning, the vessels used as night urinals and earth closets shall be removed to the garden, their contents disposed of in the manner prescribed for sewage generally, and the vessels themselves thoroughly cleaned and scrubbed with dry earth and exposed to the sun until replaced at 3 o'clock p.m. for night use, when the urinals should be filled with dry sifted earth, and the earth closets furnished with a thick layer of it.

(*Note.*) The Inspector General of Prisons in Bengal states that the dry earth system works successfully. He adds two cautions derived from experience in the Bengal prisons, viz., (i) that the earth used must not be clay, and should contain much organic matter; (ii) that if less than the prescribed quantity of earth is used, or if earth once used is used again without having been sufficiently dried, or if too much of the saturated earth is used in grounds adjoining the prison, there is much danger of disease.

APPENDIX E.

EXTRACT from the REPORT of the COMMITTEE appointed by the SECRETARY OF STATE to inquire into the DIETARIES of COUNTY and BOROUGH PRISONS, 1864, including the DIETARIES formed by the COMMITTEE and recommended by the SECRETARY OF STATE.

Part IV. Summary, and final Recommendations.

Having now examined the instructions of the Home Office, criticised the dietaries of 1843, submitted to a searching analysis the Returns sent in by the Visiting Justices, and visited some of our largest prisons, we are prepared to consider the several ques-

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tions relating to the dietaries of our county and borough gaols, and to bring our labours to a practical issue.

We are charged with the duty of recommending appropriate dietaries for the several classes of persons confined in our county and borough prisons throughout England and Wales. We are called upon, in the first place, to provide for prisoners after conviction; and in doing so, to distinguish men from women, boys from adult males, short from long sentences, and sentences without from sentences with hard labour. In the next place, we are to indicate the proper diet for prisoners before trial, for more than one class of debtors and bankrupts, for deserters *en route*, for prisoners sentenced by the Courts to solitary confinement, and for a certain class of misdemeanants. We have also to select the appropriate diets for prisoners under punishment for prison offences of short and of long terms.

It is obvious, therefore, that the duty which thus devolves upon us is much more difficult than that which had to be discharged by the two Committees on the Dietaries of Convicts in separate confinement and of Convicts in the Public Works Prisons; and that if those Committees thought it necessary to take experience for their guide, it is still more incumbent on us to resort to the same teacher. Fortunately, we possess in the dietaries recommended by Sir James Graham in 1843, precedents which we can follow with safety, though they are not deserving of close imitation. For those dietaries have been adopted and used for a series of years by the authorities of a large majority of our county and borough gaols in every part of the kingdom; and we have in the Returns forwarded to us evidence not to be gainsaid, that the continuous employment of them is compatible with a remarkable freedom from disease, and with the maintenance of health and of a capacity for labour. Nor is the approbation of the Visiting Justices and medical officers of the prisons merely of a general nature. It is not limited to the dietaries of 1843, taken collectively, but extends to the diets in detail; and it may be stated, as the general result of the opinions expressed, as well as of the changes actually made or recommended in the diets themselves, that while those assigned to the longer sentences are deemed excessive, those allotted to the shorter ones are approved as suitable to the purpose for which they were obviously designed, as well as sufficient for the maintenance of health. It is true that these diets of the shorter sentences do not satisfy the requirements of theories based on experiments made upon persons very differently circumstanced; and that they are open to adverse comment from those who, not satisfied with the absence of disease and the preservation of health, insist also that the prisoner shall suffer no loss of weight. But the facts which have been placed at our disposal have satisfied us that scientific data have but a limited and uncertain practical application, and that gain or loss of weight is not to be trusted as an indication of health, or as a test of the sufficiency of our dietaries.

It is to experience, therefore, that we must turn for guidance, and that experience is supplied to us from the Returns sent in by the Visiting Justices and medical officers of our prisons. The principal lesson which we learn from those Returns is the sufficiency for all practical purposes of the dietaries of 1843; so that if we could rest content with the principle embodied in them, that every prisoner, from the time he enters prison to the time he leaves it, should be put upon the one diet assigned to his sentence, we should have little more to do than to slightly increase the diets proper to the shorter sentences, to somewhat reduce those proper to the longer terms, and to fill up the interval between the extremes in a more regularly progressive manner. But inasmuch as, for reasons which have appeared to us of great force and cogency, we have resolved to recommend a scale of dietaries constructed upon the opposite principle of causing all prisoners sentenced to the longer terms of imprison-

ment to pass through the diets of all the sentences shorter than their own, the dietaries of 1843 must of necessity be subjected to a more extensive alteration. A somewhat larger addition will have to be made to the diets assigned to the shorter terms of imprisonment; and it will be prudent to guard against the occurrence of scorbutic symptoms by the earlier introduction of the potato. We must also avail ourselves of the opportunity now afforded to us of revising the terms to which the several classes of diet shall extend, of arranging the respective diets of male and female prisoners in accordance with some rational principle, of apportioning diet to labour, not according to the sentence, but according to work actually done, and of effecting, if possible, such a measure of economy as may be consistent with full efficiency. We shall submit the subjects now named, with others of less importance, to separate and distinct examination.

1. In revising the durations of the several classes, we are guided by the changes actually recommended or made in a considerable number of prisons; and we are also influenced by the expectation that the extension of the minimum period of penal servitude from three to five years, as proposed in the bill now before the House of Commons, will lead to an increase in the term of confinement of many prisoners in our county and borough gaols. After careful consideration, we recommend that the classes shall be five in number, and that the periods to which they extend shall be seven days and under, more than seven days and less than a month, more than a month and less than three months, more than three months and less than six months, and more than six months respectively. We do not think it necessary to follow the example of one or two of our prisons, by establishing a sixth class for prisoners sentenced to more than twelve months, as we are of opinion that at the end of six months, when the prisoner may be presumed to have become thoroughly accustomed to his prison life, his diet should be raised to its maximum.

2. On diet, as affected by the element of labour, we may observe that prisoners sentenced to hard labour are subject in different prisons to treatment so diverse that it is impossible to arrange a single series of diets which shall bear a due proportion to the sentences. In one prison hard labour means any industrial occupation, in another the crank, treadmill, or handmill, in a third the picking of coir; and we find that in several prisons no distinction whatever is made between sentences with and sentences without hard labour. A single set of diets suffices for all prisoners without exception. We have therefore adopted, as we believe, the only practical course, by devising a series of diets which we deem sufficient for all prisoners not actually put to hard labour, pointing out at the same time the additions which we think ought to be made in the case of prisoners actually set to hard work, whether it be such as the turning of a crank heavily weighted, the grinding of corn by the handmill, the weaving of coir-matting, or the more laborious employments of the field or garden. We leave it to the authorities of the several prisons to affix their own meaning to the term hard labour, and content ourselves with offering the suggestion, that no labour which does not visibly quicken the breath and open the pores should be deemed hard labour. As to the work of the crank or treadmill, we have only to remark that, as the object of these employments is not so much to call forth strong muscular efforts as to occasion weariness by the ceaseless repetition of the same movements, and, in some cases perhaps, disgust at exertions having no aim but punishment, we think it more reasonable, as well as more economical, to apportion the punishment to the diet than to raise the diet to the level of the punishment. If, therefore, the labour of the crank or treadmill, whether through the amount of exertion or its duration, should in any case prove excessive, so that the prisoners are evidently suffering in health, we recommend that the labour be gradually reduced in duration and severity till the prisoner, with the usual diet, is able to bear it. We

are also of opinion, that in the case of prisoners under sentence for the longer terms, the duration and severity of the labour should bear some proportion to the amount of food contained in the diets.

3. *Diets of Female Prisoners and of Boys under 14 years of age.*—We propose to deal with female prisoners according to the simple principles laid down by the Committees on the Dietaries of Convicts in Separate Confinement and at Public Works. We begin by deducting one-sixth as the excess of weight of men over women of the same age, and taking also into consideration the less active habits and employments of women, recommend a deduction of one-fourth from all articles of food served in a solid form, leaving the liquid elements of the dietaries of the same strength and quantity. If, for example, the diet of a male prisoner consist of 140 ounces of bread, 112 ounces of potatoes, and 16 ounces of meat, with 3 pints of soup, and 14 pints of gruel; that of a female prisoner sentenced to the same term would comprise 105 ounces of bread, 84 ounces of potatoes, and 12 ounces of meat, with 3 pints of soup, and 14 pints of gruel of the same strength and composition.* We recommend also that boys of 14 years of age and under shall receive the same diet as women.

4. *Diets of Debtors, Bankrupts, Prisoners before Trial, &c.*—In the case of prisoners committed for trial we recommend the diet of Class III. for any period not exceeding one calendar month, that of Class IV. after the expiration of one month and till the completion of the second calendar month, and that of Class V. if the detention should exceed two calendar months. For deserters *en route* we recommend the diet of Class III. The diets of other classes are indicated on the dietaries themselves.

5. *On the Constituents of the several Diets.*—The dietaries which we are about to propose will consist of the following constituents: bread, potatoes, meat, soup containing meat, suet pudding, Indian meal pudding, cheese, and oatmeal gruel. We shall treat briefly of each of these, and in doing so shall point out some of the leading differences between our own dietaries and those of 1843, and assign reasons for the changes which we propose:—

(a.) *Bread.*—We increase the quantity of this staple article of food in Class I., and slightly in Classes III. and V., and reduce it in Classes II. and IV., and we add a few ounces to the dinner allowance on Sundays in all the classes. The bread which we recommend is brown bread made from whole meal, if the wheat has been previously decorticated; or if it has not been decorticated, from the whole meal less 5 per cent. of the coarsest bran. We think that in all prisons the staple of the bread should be sound red English wheat, or this wheat with an admixture of Odessa wheat; and that this should be cleaned and ground in the prison by the handmill, treadwheel, or crank. We estimate the economy which may be thus effected at from 2s. 6d. to 3s. per sack of flour. We speak from the experience acquired at the Houses of Correction at Wandsworth and Coldbath Fields. The bread of each day may be served out in one loaf, or in three small loaves, at the discretion of the prison authorities. The first-named plan has the recommendation of economy.

(b.) *Potatoes.*—We introduce this important constituent of a wholesome dietary into the 1st and 2nd Classes, and increase the allowance by nearly equal increments up to Class V., inclusive. In this class the quantity falls short of that given in the dietaries of 1843 by 32 ounces; but it is much larger in Class IV., and nearly the same in Class III.

In seasons when the potatoes are scarce, or of inferior quality, we recommend as the best substitute the parsnip, carrot, turnip, or beet-root. The haricot bean may also be used in their stead. If fresh vegetables generally should prove expensive, we recom-

mend that a small quantity of vinegar and molasses be added to the soup, and that two or three ounces of skim milk be added to each pint of gruel. We discourage the use of rice as a substitute.

(c.) *Meat.*—We give meat in its least costly form, namely, as the neck, leg, and shin of beef, in soup, three times in the week to all prisoners in Classes III., IV., and V.; and meat of a superior quality to those who are set to hard labour on two additional days in the week. We are able to recommend the South American beef, packed in bales in its moist state, and imported into Liverpool, as an economical substitute for the more expensive English beef. This meat is free from bone, and is now sold at from 2d. to 3d. the pound. If a cheap supply of the fresh fat of beef or mutton could be procured, it might be mixed with the foreign meat in equal portions with advantage; and if a cheap supply of fresh beef bones could be obtained, this meat might be used in the making of the soup, for which, without this addition, it is less suitable than the necks, legs, and shins of beef. The ox head, when found to yield meat at about the same price as the necks, legs, and shins of beef, may be substituted for them in the making of soup, and, in conjunction with South American beef, to supply the oily and fatty matter in which the beef is deficient.

(d.) *Soup.*—This should contain to the pint, six ounces of necks, shins, and legs of beef, with Scotch barley and vegetables, including onions. Care should be taken to stew the meat for at least eight hours, and the vegetables should be steamed and pulped. In the case of prisoners at hard labour, we substitute two ounces of peas for one ounce of barley.

(e.) *Suet Pudding.*—We introduce this article into the new dietary, as one easily made and measured; as palatable without being luxurious; and as containing in itself all the elements of a nutritious and supporting article of food. The wheaten flour has the oleaginous element, in which it is most deficient, supplied by the suet. For prisoners actually set to hard labour, we give meat twice in the week in lieu of this pudding, retaining it only for one day.

(f.) *Indian Meal Pudding.*—We give this pudding in Classes I. and II. It should consist of milk and meal, in the proportion of half-a-pint of skimmed milk to six ounces of meal.

(g.) *Cheese.*—We follow the example of the Committees on the Dietaries of Convicts in recommending this, with an extra allowance of bread, for the Sunday dinner. If it cannot be obtained for 6d. a-pound or less, we recommend the substitution of any cold meat, fresh or salted, which can be procured at the same limit of price.

(h.) *Gruel.*—We recommend this to be made, in all cases, of coarse Scotch oatmeal, two ounces to the pint, with the addition on Sundays, in Classes IV. and V., of one ounce of molasses. We omit this article from the diet of Class I., and introduce, as already stated, the potato and Indian meal pudding in its stead; and we reduce it by half its amount in Class II., without hard labour. We dispense with the use of cocoa from the dietary of Class V.

6. *The Diet Tables.*—We present in a single sheet, in a simple tabular form, the dietaries for male and female prisoners, which, after very careful consideration, we have determined to recommend. The details are arranged in conformity with the principles already laid down. We have given precise directions for the preparation of the several articles of food; and we have indicated the diets which we deem appropriate for prisoners committed for trial; for debtors and bankrupts of different classes; for misdemeanants of the first class; for deserters *en route*; for prisoners sentenced by the courts to solitary confinement; and for prison offences.

We have endeavoured to ascertain the amount of saving which would be effected if these dietaries were substituted for those of 1843, and if the system of progressive dietaries were also substituted for that now in use, by which the prisoner is at once placed on the diet of his class. The saving which would

* In the Dietaries appended to this Report we have followed this principle as closely as the figures representing the quantities of solid food would allow.

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accrue on the dietaries of male prisoners is not considerable ; it is much larger in the case of female prisoners. But we believe that we are justified in stating that a saving of at least six per cent. would be effected on the diets of male and female prisoners collectively by adopting the scale which we recommend, and a further saving of more than 10 per cent. by the substitution of the progressive for the non-progressive system. If this, as we believe, very moderate estimate be used as the basis of calculation, it will follow that, if we take the present cost of food for a prison population of 1,000 male and female prisoners passing through their respective sentences at 2,400*l.*, the saving effected will amount to no less than 400*l.*; and if we assume the annual cost of food alone in all the prisons of England and Wales to amount to only 96,000*l.** out of the sum of 153,745*l.* given in the Judicial Statistics of 1862 as the aggregate expense of prisoners' diet, clothing, &c., the saving will amount to 16,000*l.* per annum. It must be understood that these figures are given as only a rough approximation of the truth, as some of the data for a more precise calculation are not forthcoming.

In submitting these dietaries for the approval of Secretary Sir George Grey, we wish it to be understood that we recommend them subject to the following conditions ; and that unless these conditions are observed, we do not hold ourselves responsible for any injury to the health of prisoners which may result from their adoption :—

1. That it shall be the duty of the medical officer of the prisons in which these dietaries are in force to see every prisoner on admission, and to certify his fitness or otherwise to be placed upon the several dietaries in succession ; and that if the prisoner be found unfit, it shall be incumbent upon the medical officer to indicate the dietary upon which he shall be first placed.

* The ratio of the cost of food to the cost of clothing and bedding, medicines, and sick comforts in the prison at Millbank is higher than that assumed above. It amounts to about 70 per cent. of the total for these items, instead of about 64 per cent., as in the above estimate.

2. That prisoners sentenced to hard labour shall not be required to work at times or under circumstances which would be deemed injurious to the health of free labourers, and that they shall not be required to do any work which in duration or severity would necessitate in any working man an abundant and highly nutritious diet ; for instance, that a prisoner shall not be required to take violent exercise and immediately afterwards be set to hard work before breakfast, and without having tasted any food from half-past 5 on the previous day, as we know to have happened in at least one prison.

3. That if after these dietaries have been brought into use, the medical officer, the governor, or the visiting justices of any prison or prisons shall deem them to be inadequate to maintain the prisoner in health and with a capacity for labour, they shall not be condemned or altered until after they have been in force for at least nine months, and until reports have been received from all the prisons in which they have been adopted.

In conclusion, we beg to point out that the work of this Committee must of necessity remain imperfect, and subject to misinterpretation, so long as the kind, amount, and duration of work which may be required from the prisoner remain so undefined and so subject to variation in different prisons as is now the case.

It is obvious that no dietary scheme which it would be possible to suggest could be safely introduced and continue in force, unless the discipline and labour to which the prisoner is subjected be made to bear a due proportion to the amount of nourishment supplied to him.

(Signed) WILLIAM A. GUY, M.B., *Chairman,*
Medical Superintendent of Millbank
Prison.

J. MAITLAND, M.D.,
Medical Charge Military Prison,
Gosport.

VANS C. CLARKE, M.D., R.N.,
Surgeon of Dartmoor Convict Prison.

DIETARIES recommended for County and Borough Gaols.

For Prisoners without Hard Labour.

Additions for Prisoners on Hard Labour.	Meals.	Days of the Week.	Articles of Food.	CLASS 1.		CLASS 2.		CLASS 3.		CLASS 4.		CLASS 5.		<i>Ingredients of Soup.</i> In every pint.— The meat and liquor from 6 ounces of the necks, legs, and shins of beef, weighed with the bone previous to cooking. 1 ounce of onions or leeks. 1 ounce of Scotch barley. 2 ounces of carrots, parsnips, turnips, or other cheap vegetable, with pepper and salt. On Tuesdays and Saturdays, the meat liquor of the previous day is to be added. <i>Ingredients of Suet Pudding.</i> 1½ ounces of suet. 6½ ounces of flour, and about 8 ounces of water to make 1 pound. <i>Ingredients of Indian-meal Pudding.</i> To consist of half a pint of skimmed milk to every 6 ounces of meal. <i>Ingredients of Gruel.</i> To every pint, 2 ounces of coarse Scotch oatmeal, with salt. * The gruel for breakfast on Sunday in Class 4, and for breakfast and supper in Class 5, to contain 1 ounce of molasses.
				One Week or less.		After 1 Week and up to the 1st Month, inclusive.		After 1 Month and up to the 3rd Month, inclusive.		After 3 Months and up to the 6th Month, inclusive.		After 6 Months.		
				Men.	Women.	Men.	Women.	Men.	Women.	Men.	Women.	Men.	Women.	
Male prisoners at Hard Labour, and women employed in the laundry or other laborious occupation, to have the following additions and substitutions:— In Class 2.—1 ounce extra of cheese on Sundays, and 1 pint of gruel for supper daily. In Classes 2, 3, 4, and 5.—1 ounce extra of cheese on Sundays. In lieu of the pudding on Mondays and Fridays.—3 ounces of beef in Class 3, 4 ounces in Class 4, and 4 ounces in Class 5, for men; and 2 ounces in Class 3, 3 ounces in Class 4, and 3 ounces in Class 5, for women. The meat to be weighed after cooking and served cold. The meat liquor on Mondays and Fridays to form part of the soup on Tuesdays and Saturdays. The soup to contain in each pint 2 ounces of split peas, instead of 1 ounce of barley.	Breakfast	Every day	Bread	Ounces, 6	Ounces, 5	Ounces, 6	Ounces, 5	Ounces, 8	Ounces, 6	Ounces, 8	Ounces, 6	Ounces, 8	Ounces, 6	
			Gruel	—	1 pint	1 pint	1 pint	1 pint*	1 pint*	1 pint*	1 pint*	1 pint*	1 pint*	
	Supper	Every day	Bread	6	5	6	5	6	6	8	6	8	6	
			Gruel	—	—	1 pint	1 pint	1 pint	1 pint	1 pint*	1 pint*	1 pint*	1 pint*	
Dinner	Sunday	Monday, Wednesday, and Friday	Bread	8	6	8	6	10	8	10	8	12	10	
			Cheese	—	—	1	1	2	2	3	2	3	2	
	Tuesday, Thursday, and Saturday	Dinner	Bread	6	5	6	5	4	4	4	4	4	4	
			Potatoes	—	—	—	—	12	8	16	12	16	12	
	Tuesday, Thursday, and Saturday	Dinner	Suet Pudding	—	—	—	—	8	6	12	8	12	8	
			Indian-meal Pudding	6	4	8	6	—	—	—	—	—	—	
	Tuesday, Thursday, and Saturday	Dinner	Bread	6	5	6	5	8	6	8	6	8	8	
			Potatoes	8	6	12	8	8	6	8	6	16	12	
	Tuesday, Thursday, and Saturday	Dinner	Soup	—	—	—	—	¾ pint	¾ pint	1 pint	1 pint	1 pint	1 pint	

April 28, 1864.

(Signed)

WILLIAM A. GUY, M.B.
J. MAITLAND, M.D.
VANS C. CLARKE, M.D., R.N.

APPENDIX F.

BARBADOES.

13 Victoria, Cap. XXI.

An Act to authorize the conditional Discharge of and the granting of Tickets-of-leave to Convicts.

[22nd January 1850.]

Whereas it may tend to promote the reformation of felons and offenders sentenced to imprisonment if the Governor or Commander-in-Chief were authorized to direct the conditional discharge of and to grant, in the manner herein-after mentioned, to such felons and offenders in certain cases permission to employ themselves for their own benefit before the period for which they were sentenced may have expired.

1. Be it enacted, &c., that from and after the passing of this Act it shall and may be lawful for the Governor or Commander-in-Chief for the time being, and he is hereby authorized and empowered, to direct the conditional discharge of and to grant to such persons as having been convicted of any offence, and been sentenced to be imprisoned with or without hard labour, shall from good conduct, or from any other proper cause, before the expiration of the period for which they were sentenced, seem to the Governor to be deserving thereof, permission to employ themselves for their own benefit, which permission shall be called a ticket-of-leave, and shall be under the hand and seal of the Governor or Commander-in-Chief for the time being: provided always, that it shall not be lawful to grant any such ticket-of-leave to any person until such person shall have suffered three-fourths of the period of imprisonment to which he or she shall have been originally sentenced; provided also, that nothing herein contained shall in any manner affect Her Majesty's royal prerogative of mercy.

II. And be it enacted, that every person who shall receive such a ticket-of-leave shall once a week during the period of his or her unexpired sentence appear before the police magistrate of the district in in which he or she is residing, and give a proper and satisfactory account of himself or herself, and of his or her place of abode, and of his or her mode of life, and shall produce such evidence thereof as the said police magistrate shall require; and in case such person shall neglect or omit to appear before and to give such account of himself or herself to the said police magistrate, or in case the said police magistrate shall have reasonable cause to suspect that such person is leading an idle or dishonest life, it shall be the duty of the said police magistrate to report the same to the Governor, who is hereby authorized to revoke such ticket-of-leave, and the holder thereof shall thereupon be remanded to the common gaol by the said police magistrate (who is hereby authorized to issue his warrant, if necessary, for the apprehension of such person), there to remain until the term of his or her original sentence of imprisonment shall have expired, with or without hard labour, as the case may be.

III. And be it enacted, that if the holder of any such ticket-of-leave shall during the period for which such ticket-of-leave may have been granted be convicted before any police magistrate or justice of the peace of any substantive offence, such conviction shall be deemed to be a revocation of such ticket-of-leave, and it shall be lawful for the said police magistrate or justice of the peace immediately to remand such person as is herein-before provided, and to further order that such person shall on the expiration of his or her original sentence stand committed for such further period as he shall direct, or be detained to be dealt with according to the nature of such substantive offence, anything to the contrary thereof in this Act contained notwithstanding.

IV. And whereas it is just that felons should be protected in their persons and in the possession of such property as they may acquire by their industry while holding such tickets-of-leave: be it enacted that it shall be lawful for every felon who shall hold such ticket-of-leave, notwithstanding his or her con-

viction of felony, to acquire and hold personal property, and to maintain any action or suit for the recovery of any personal property so acquired by him or her, and for any damage or injury sustained by him or her, in the courts of this island; and if the defendant in any such action or suit shall plead or allege in his or her defence the plaintiff's or complainant's conviction of felony, and the plaintiff or complainant shall allege and prove that he or she hath received and doth still continue to hold unrevoked such ticket-of-leave as aforesaid, a verdict shall pass and judgment shall be given for the plaintiff or complainant: provided always, that whenever any such ticket-of-leave shall be revoked all property so acquired by such felon shall vest absolutely in Her Majesty, and shall be disposed of at the discretion of the Governor.

V. And be it enacted, that no person who shall have received such a ticket-of-leave as aforesaid, and shall at any subsequent time be convicted of felony, shall be again entitled to be discharged under the provisions of this Act.

APPENDIX G.

PRISON REGULATIONS.

Rules for the government of prisons will be found in the first Schedule to the Prisons Act, 1865 (28 & 29 Vict. c. 126), a copy of which accompanies this digest. A form of rules adapted for smaller prisons is added in Appendix L.

APPENDIX H.

FORMS OF RETURNS AND STATISTICS.

Quarterly returns to the executive should comprise at least:—

1. The sum of the daily numbers of prisoners on each day during the quarter, divided by the days in the quarter, which gives the average number of prisoners.
2. The number of hospital cases and of days spent in hospital; and the number of cases of illness treated out of the hospital.
3. The number of deaths.
4. The number of prison punishments of each kind.
5. The number and kinds of extra diets issued.
6. The total amount of rations issued of all kinds severally.

General statistics for each year for each Colony should comprise:—

1. The estimated population.
2. The number of known committed crimes triable by superior courts.
3. The numbers of prosecutions and convictions for such crimes.
4. The number of summary convictions.
5. The total of convictions of all kinds.
6. The total number of days imprisonment suffered by all prisoners during the year.
7. The number of infirmary cases and of other cases of sickness.
8. The number of deaths.
9. The number of prisoners committed during the year who are known to have been previously committed, distinguishing serious crimes from lesser crimes. In this table, if second, third, and further reconvictions are distinguished, care must be taken that, *e.g.*, the number of those a second time reconvicted does not include those a third time reconvicted, &c.
10. The total prison expenditure.
11. The total earnings by prisoners' labour.
12. The total criminal judicial expenditure.

In each case the numbers should be calculated from Sept. 31 to Sept. 31. The colour of prisoners should

be distinguished. A brief comparative table for 5 years should be added. (And see *supra*, p.)

The following rules, framed by Dr. Farr, are extracted from a report of the Army Sanitary Commission on methods of estimating mortality in Indian prisons. The Commission consider Dr. Farr's method much superior to any at present in use, and recommend its adoption in all prisons.

UNIFORM METHOD OF DETERMINING THE MORTALITY RATES OF PRISONERS IN GAOLS.

To determine the rate of mortality among prisoners in gaols, so as to admit of its comparison with the rate of mortality among other classes of the population, the following rules should be observed:—

1. The investigation should be annual.
2. The prison register should be kept so as to include all the required facts, such as (1), name; (2), age, as far as it can be ascertained; (3), state of health at the date of entry, and disease, if any; state of health at the date of discharge, and if sick at date of discharge the disease to be recorded.

3. From this register the daily number of prisoners in gaol could be taken, and the *sum of the daily numbers* (say 39,162) divided by the *days in the year* (365) would give for quotient the *average number of prisoners* (say $P = 107$). This would be useful as a check on dietaries, and in other ways.

The deaths ($= D$) in the year, divided by the average number of prisoners (P) would give the rate of mortality per annum ($= \frac{D}{P} = m_1$). Thus, if

$P = 1,000$, and $D = 80$, then $\frac{D}{P} = \frac{80}{1,000} = .08 = m_1$.

Multiply m_1 by 100, and we have the rate of mortality per cent. per annum $= 8.0$.

Example.

Take 300 as the average number of prisoners of the age 20–25, and 15 as the deaths in a year, then—

As 300 : 15 :: 100 : 5

$$\frac{100}{300) 1,500}$$

5 = annual rate of mortality per cent. at age 20–25.

The same method is applicable to the determination of the mortality among prisoners of any particular age.

4. The deaths per cent. out of a given number passing through the gaols can be also determined. Thus, if out of 10,000 going through the gaols 80 die, then $\frac{80}{10,000} = .008 = m_2$. Multiply m_2 by 1,000, and we find that 8 in 1,000 prisoners entering die in the gaols in an indefinite time.

Put A for annual admissions, then if the annual discharges, including deaths, equal A , we can determine the mean term of residence by this rule: *Divide the mean population (P) by admissions to obtain mean term of residence in years or fractions of a year.*

Example.

$$\frac{P}{A} = \frac{250}{1,000} = .25 \text{ year} = \frac{1}{4} \text{ of a year, or multiplying } 365 \text{ by } \frac{1}{4} = 91 \text{ days.}$$

5. To show how length of imprisonment affects the rate of mortality, the prisoners should be classified in the form shown in Table 1.

Where there is little fluctuation in the admissions and discharges the rate of mortality in each period of imprisonment can be determined from the facts in such a table (1). Thus, if we divide the year's deaths in the first month of imprisonment by the average numbers living in that month of imprisonment, the mortality in that month is determined. The same method is applicable to the second, third, and other months, or to years.

6. Again, by taking the total numbers discharged as the basis, a useful table in the form shown in Table 2 may be constructed, showing out of a given number entering how many remain one month, two months, three months, &c. in gaol.

7. It would be desirable also to show the average numbers on the sick list (S), as reported daily or weekly by the medical officer in charge. Thus the numbers sick divided by the mean population would give the average sickness rate, which being multiplied by 100 would be the proportion of constantly sick to every 100 prisoners.

8. Again, the number of cases of sickness occurring in the year (C) should be recorded, and these cases divided by the mean population would give the morbidity rate, which being multiplied by 100 would give the cases of sickness per annum to every 100 of the gaol population.

9. Where it is possible, the sickness and the mortality from the principal diseases should be shown.

Other matters of some importance may be discussed, such as (1), the sickness and mortality in the several months of the year; (2), in the several seasons; (3), under different dietaries; and (4), different kinds of labour and punishment.

General Register Office,
1866.

W. FARR.

Formulas.

P = Average number of prisoners, or mean population of the gaols.

D = Deaths of prisoners in a year.

A = Annual admissions.

E = Exits, either by discharge or death, annually.

S = Average numbers on the sick list.

C = Cases of sickness occurring in the year.

m = Mortality rate.

Then:—

(1) $\frac{D}{P} = m_1$; and $100 m_1$ = annual rate of mortality per cent.

(2) $x = \frac{P}{A}$ = average term of residence in years or fractions of a year. Multiply x by .365 or 366, and we have the term in days.

But $\frac{D}{A} = m_2$ = the death rate in the time x , then, population being constant, if mortality is proportional to time.

$$m_2 : m_1 :: x : 1.$$

$$\text{And } m_2 = x m_1 = \frac{P}{A} \cdot \frac{D}{P} = \frac{D}{A} \therefore m_1 = \frac{m_2}{x} =$$

$$\frac{D}{A} \cdot \frac{A}{P} = \frac{D}{P} = \text{annual rate of mortality.}$$

The mortality rate, it is assumed, is constant and proportional to the time. If the admissions (A) do not equal the exits (E), then $\frac{A + E}{2}$ may generally be substituted for A in the preceding equation.

(3) $\frac{S}{P} = s_1$ = average sickness rate; and $100 s_1$ = proportion of constantly sick to every 100 prisoners.

(4) $\frac{C}{P} = c_1$; and $100 c_1$ = the cases of sickness per annum to every 100 of the gaol population.

(5) $D = m_3$; and $100 m_3$ = deaths to every 100 sick cases.

(6) $\frac{D}{S} = m_4$; and $100 m_4$ = annual rate of mortality per cent. among the sick population of the prisons.

TABLE 1.

Time in Prison.	In Prison on					Discharged during the Year in various ways at the several stages of Imprisonment in column 1.			
	January 1, 1866.	April 1, 1866.	July 1, 1866.	October 1, 1866.	January 1, 1867.	Dead.	Sick.	In sound Health.	
MONTHS.									
Under 1 month -	70	85	80	65	64	3	2	216	
1—2 -	69	57	63	51	48	2	2	562	
2—3 -									
3—6 -									
6—9 -									
9—12 -									
YEARS.									
0—1 -									
1—2 -									
2—3 -									
3—4 -									
4—5 -									
5—10 -									
10—15 -									
15—20 -									
20—25 -									

TABLE 2.

Period of Imprisonment complete.	Prisoners remaining.	Total discharged.	Prisoners discharged.				
			By Death.	By Expiration of Term of Imprisonment.	By Transfer to another Prison.	By Escape.	By Discharge or Pardon on the Ground of Sickness.
0 and under 1 month -	64	256	3	200	—	2	51
1 month -							
2 " -							
3 " -							
6 " -							
9 " -							
1 year -							
2 " -							
3 " -							
4 " -							

In another Table the proportions remaining may be shown to 1,000 entering the prison. The 1,000 in column 2 would be placed against 0 in column 1.

TABLE 3.

ANNUAL RATE of MORTALITY at the respective Ages, 1866.

Ages.	Average Numbers living.	Deaths.	Rate of Mortality per Cent.
Under 15 -			
15—20 -			
20—25 -	300	15	5
25—30 -			
30—35 -			
35—40 -			
40—45 -			
45—50 -			
50—55 -			
55—60 -			
60—65 -			
All ages -			

APPENDIX I.

NOTE ON COST of CRIME.

1. The following is an extract from the Report for 1852, of the Surveyor General of Prisons, on Convict Prisons:—

This subject is also adverted to in a petition from

the Magistrates of Liverpool, presented to the House of Commons so far back as 1842. The petitioners stated:—

“That in order to enable your Honourable House to form a judgment of the cost of the present system, your petitioners beg to record the actual cost of attending fourteen cases of juvenile delinquents, who

have from time to time been committed to the prison of this borough. The cases referred to were fairly selected, in the year 1842, from the mass of juvenile prisoners in the prison, by one of their body, who was at that time endeavouring to ascertain the charge incurred by the treatment of juvenile offenders in prison, in contrast with those in Reformatory Institutions. That the costs of prosecutions, in the estimate relating to these fourteen cases, are much less than the usual costs, because the Corporation of Liverpool are the public prosecutors, and all expenses are most economically conducted."

After going into the history of each of these 14 cases, the petitioners went on to speak of the cost. They said:—

"That the cost of apprehension, maintenance, prosecution, and punishment was of

	£	s.	d.
No. 1 - - - - -	129	5	6 $\frac{1}{2}$
No. 2 - - - - -	71	2	10 $\frac{1}{2}$
No. 3 - - - - -	74	1	10 $\frac{1}{2}$
No. 4 - - - - -	71	13	1
No. 5 - - - - -	47	9	3
No. 6 - - - - -	64	6	6 $\frac{1}{2}$
No. 7 - - - - -	99	2	5 $\frac{1}{2}$
No. 8 - - - - -	72	1	4 $\frac{1}{2}$
No. 9 - - - - -	52	9	7 $\frac{1}{2}$
No. 10 - - - - -	64	18	9 $\frac{1}{2}$
No. 11 - - - - -	28	10	4 $\frac{1}{2}$
No. 12 - - - - -	39	8	10 $\frac{1}{2}$
No. 13 - - - - -	26	10	10
No. 14 - - - - -	47	7	7 $\frac{1}{2}$

And thus these offenders cost the public - - - - - £888 9 1

It thus appears that the average cost of these 14 prisoners was about 63*l.* 8*s.*

It is more than probable that the whole of the boys referred to in the above statement were eventually transported. The additional cost to the country for each may be thus stated:—

Average detention at Parkhurst, three years at 16 <i>l.</i> - - - - -	£48
Voyage and outfit - - - - -	25
Proportion of expenses in the Australian colonies, consequent on transportation - - - - -	70
	£143

APPENDIX K.

REPORT of the PROCUREUR GÉNÉRAL of MAURITIUS on CRIME (1865).

The annexed table contains a comparison of the crimes prosecuted before the Judges of the Supreme Court and a jury during 1865 and the preceding four years.

2. It shows a considerable diminution in the num-

ber of cases (66) brought to trial during 1865, as compared with those (72) in 1864, and an increase of only two over the cases (64) in 1863. A still more marked diminution in the number of persons prosecuted appears in 1865, and places that year in a favourable light as compared with either 1863 or 1864, thus:—

	1863.	1864.	1865.
Number of Cases prosecuted - - - - -	64	72	66
" Persons prosecuted - - - - -	199	196	135
" Persons prosecuted as compared with number of Cases - - - - -	3'109	2'335	2'015

3. The diminution in the number, both of prosecutions and of persons prosecuted, in 1865, is almost entirely applicable to cases of larceny with violence, consisting of burglaries, usually committed by armed gangs, and of highway robberies. The numbers of such cases were as follows:—

	1863.		1864.		1865.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Larcenies by night, with violence and breaking - - - - -	16	106	19	111	7	24
Ditto on highway, with violence - - - - -	2	3	5	26	3	18
Total - - - - -	18	109	24	137	10	42

4. There is every reason to believe that the diminution which these numbers indicate in the class of crimes referred to is real. This satisfactory result is attributable to the efficacy of the measures taken in 1864 for their repression, and to the safe keeping in prison of a large number of the most dangerous criminals of the predatory class. The number of these offences, however, is still great, and above what it was in 1861 or 1862.

5. On the other hand, the list for 1865 is swelled by an unusual number of aggravated larcenies, unaccompanied by violence, viz., larcenies by servants from their masters, and by offenders who had been repeatedly convicted before, thus:—

	1861.		1862.		1863.		1864.		1865.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Larcenies as above - - - - -	1	1	1	3	2	3	2	2	8	12

6. In crimes of violence, including murder, manslaughter, and aggravated assaults, the cases in 1865 were rather below the average number, having been one more than in 1864, one fewer than in 1861 and 1862, and five fewer than in 1863. But the number of persons tried for these offences in 1865 exceeded that of any of the four previous years, except 1863; thus:—

	1861.		1862.		1863.		1864.		1865.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Murders and attempts at murder - - - - -	8	13	10	15	9	20	10	13	14	33
Manslaughter - - - - -	5	6	6	6	5	19	1	1	2	2
Wounds and blows causing deaths - - - - -	7	7	2	2	5	11	4	4	3	5
Ditto causing sickness for more than 20 days - - - - -	-	-	2	2	5	9	3	6	-	-
Total crimes of violence - - - - -	20	26	20	25	24	59	18	24	19	40

7. The unusual number of offenders of this class in 1865 arose from there having been in one case 13 men tried for and convicted of the murder of their master, when overseeing them at work in the field. In 1863,

when there was also a great number of persons tried compared with the number of cases, a gang of nine prisoners was tried for murder and burglary, and were convicted only of the smaller offence.

APPENDIX.

8. While, however, crimes of violence generally were rather on the decline in 1865, the murders, both in regard to the number of cases and of persons concerned, were unprecedentedly numerous.

9. These heinous crimes were almost entirely confined to the Indian population, and, with the exception of the murder by a band of labourers already mentioned, which was a rebellion against a strict but apparently not unjust master, they were prompted by jealousy or other kindred feelings in regard to women.

10. The alarming number of crimes which spring from motives of this kind has been the subject of a full report by me (letter to Colonial Secretary, No. 850, of 27/10/65), in which the indifference of the Indian population to death by hanging was dwelt upon. It is there mentioned that, while the suicides by Indians during the year 1864 and first 10 months of 1865 were 95 in number, no fewer than 86 of these were by hanging.

11. The indifference to a mode of death so much loathed by most Europeans is explained in the report referred to, on the ground that most of the Indian races believe in the transmigration of the soul, incidental to which is a notion that if one dies tranquilly, without any severing of one part of the body from another, the passage of the soul after death into another animal takes place easily; whereas if any member, and especially the head, is separated, the transmigration is impeded, and the disunited portions of the body may search for each other for hundreds of years in another world.

12. As illustrative of this feeling it is mentioned in the report referred to that cases have repeatedly occurred in which prisoners condemned to long imprisonment have expressed their desire to be hung, rather than complete their sentence; and in one very striking case which goes to swell the list of 1865, an Indian tried for murder and found guilty only of manslaughter, first endeavoured ineffectually to commit suicide in prison, and soon afterwards assaulted dangerously and attempted to murder one of the prison guards, with the avowed desire of being hung.

13. It is thus apparent that the mode of execution followed in most parts of Her Majesty's dominions is not effectual for checking murders by the Indian population; while, on the other hand, their religious belief inspires them with a horror for decapitation.

14. Accordingly I have in the report above noticed urged the substitution of the latter punishment (being carried out by a guillotine) for hanging in cases of Indians condemned to death, and that view has been concurred in by the Judges of the Supreme Court.

15. It is very desirable that the change should be made, in order to restrain if possible the Indians, who form now by far the largest class in the colony, from those murders which are not only numerous but are increasing in number among them.

16. The change, it may be added, would probably be in accordance rather than otherwise with the feelings of the majority of jurors, both on account of their French extraction, and because decapitation was till a few years ago (1851) the mode of carrying out sentences of death in the colony.

17. With regard to other crimes, there was a diminution in 1865 as compared with 1864 in embezzlement, which is attributable to the frauds on the Savings Bank having occurred in the year last mentioned; on the other hand forgeries have been more numerous in 1865 than in any of the four preceding years, thus:—

1861.		1862.		1863.		1864.		1865.	
Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
4	8	3	3	4	3	5	6	6	10

18. No reason can be stated for this change.

19. Cases of poisoning with a view to larceny have also been on the increase, thus:—

1861.		1862.		1863.		1864.		1865.	
Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
Nil	Nil	Nil	Nil	Nil	Nil	1	1	3	7

20. All of these were poisoning by seeds of *datura stramonii*, a plant very common in the colony, and which produces intoxication and even temporary insanity. The punishments inflicted in 1865 have had a salutary effect in checking this crime.

21. A larger number of cases of arson also occurred in 1865, although fewer than in the two preceding years.

1861.		1862.		1863.		1864.		1865.	
Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
6	6	6	6	8	11	9	11	7	7

22. Nearly all these cases were of Indians charged with setting fire to the huts of others of their class, with whom they had disputes, usually with regard to women. The same motive, however, which prompts to this crime on the one hand produces false accusations of it on the other. It has thus repeatedly happened that when the hut of an Indian has been burnt from some accidental cause, the occupant, either believing that the fire had been set by one who had an enmity to him, or wishing to profit by the fire, to gratify his own feelings of revenge, has made up a case of arson against another of his class. Cases of this kind are frequently dismissed by the magistrates, or are withdrawn from trial by me; while juries acquit, in a large proportion of the cases tried, suspecting, sometimes justly, that the case is concocted.

23. The statistics given above are upon the data of the crimes prosecuted before the Supreme Court, and committals by magistrates for trial after preliminary inquiry; as will be afterwards noticed, a considerable proportion of the persons so tried have been acquitted, and some of the acquittals no doubt occurred when the accused was innocent. By far the larger proportion of acquittals is attributable to the uncertainty of trial by jury in a country where that institution is but little beyond its infancy, having only been introduced in the year 1850.

24. The proportion of persons acquitted to persons tried is as follows:—

1861.	1862.	1863.	1864.	1865.
.227	.323	.317	.331	.288

25. In comparing these numbers with the acquittals in countries such as England, where there is no public prosecutor, it must be borne in mind that while in such countries every case of felony for which a true bill is found has to be tried, the public prosecutor in Mauritius takes care to present for trial only those cases in which he is satisfied that the guilt of the accused can be satisfactorily proved. The organization of the public prosecutor's office also tends to secure a larger proportion of convictions than would probably occur if the cases were prosecuted by private parties.

26. Making due allowance for these considerations, it is thought that the proportion of acquittals in this colony is too great.

27. An ordinance is in course of preparation for improving the making up of the jury list, by which it is hoped the frequent presence of talesmen on the jury under the present law will be prevented. An

ordinance based upon the principles of the laws of Scotland and of France, has also been passed recently for admitting children as witnesses in cases of violence to themselves, provided they are sufficiently intelligent to make a rational statement on the subject, although they may not be familiar with the nature of an oath.

28. It is hoped that these measures will prevent justice from being defeated so often as at present.

29. Another consideration with reference to the foregoing statistics is that a larger proportion of crimes escape detection and punishment here than in the mother country.

30. This is the case more especially with regard to murders; for there is often the strongest suspicion that death occurred from foul play, but the rapid decomposition of the human body in a hot and generally speaking a moist climate, tends to efface the traces of crime. Frequently too the lower classes and even other persons impede rather than assist the detective police.

31. The frequency of suicides also, among the Indians, leads sometimes to crimes of violence escaping detection under the pretence that the deceased destroyed himself.

32. The force of these observations will be seen from the fact that, in 1865, there were, in addition to the cases tried, 14 cases of death believed to have been caused by foul play; but in none of these was the proof sufficient to bring the case to trial.

33. Another class of crimes which, it is believed, sometimes escape detection is arson. One cause of this has already been mentioned (paragraph 22). Some fires also, especially of late, have occurred under circumstances of strong suspicion that they were committed to defraud the insurance companies. But, owing to the ingenuity with which the plots have been arranged, no case of this kind has yet been brought to justice.

34. In thus noticing the crimes that escape detection, I have no intention to cast any reproach on the detective police. On the contrary, it is but just to the force that I should add that it is extremely efficient, and that it affords as full protection to life and property as any police force could do in a country where the population consists of numerous races differing in religion, habits, and language from each other.

(Signed) W. G. DICKSON,
Proc. & Advocate Gen.

APPENDIX.

RETURN OF CRIMES Prosecuted before the SUPREME COURT from 1861 to 1865 inclusive.

	1861.					1862.					1863.					1864.					1865.					REMARKS.
	Prosecutions.		No. of Persons convicted as charged.		No. of Persons acquitted.		Prosecutions.		No. of Persons convicted as charged.		No. of Persons acquitted.		Prosecutions.		No. of Persons convicted as charged.		No. of Persons acquitted.		Prosecutions.		No. of Persons convicted as charged.		No. of Persons acquitted.			
	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.	No. of Cases.	No. of Persons.		
CRIMES AGAINST INDIVIDUALS.																										
Murder (and attempt to murder)	8	13	2	1	10	10	15	4	4	2	7	9	20	6	2	12	10	13	5	5	3	14	33	1	5†	* Of which ten were executed.
Manslaughter	5	6	2	3	1	6	6	2	2	1	2	5	19	—	1	18	1	1	1	—	—	2	2	—	—	
Wounds and blows causing death, but without intention to kill	7	7	1	6	—	2	2	1	1	—	—	5	11	—	9	2	4	4	1	3	—	3	5	—	—	† One individual twice tried for two distinct crimes, one of murder, the other of attempt to murder.
Wounds and blows causing sickness of more than 20 days	—	—	—	—	—	2	2	—	2	—	—	5	9	6	3	—	3	3	2	4	—	—	—	—	—	
Involuntary homicide from carelessness	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	1	1	—	‡ One individual found insane.
Poisoning (not fatal) for purposes of larceny	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Rape, and attempt, &c.	2	3	2	1	—	2	2	1	1	—	—	4	8	2	6	—	1	1	—	1	—	3	7	4	3	
Bigamy	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	1	1	—	—	2	2	1	1	
Exposing infant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	—	—	1	3	3	—	
Unnatural crimes	2	3	1	2	—	2	2	1	1	2	—	2	4	2	2	—	2	2	1	1	—	2	2	1	1	
Perjury and subornation	—	—	—	—	—	1	1	—	2	—	—	1	1	—	1	—	1	1	—	—	—	—	—	—	—	
Placing stones on railway	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Defamation and slander	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
CRIMES AGAINST PROPERTY.																										
Larceny	6	24	—	24	—	5	24	8	15	1	16	106	38	67	1	19	111	37	64	—	—	7	24	12	12	—
	1	2	—	2	—	—	—	—	—	—	—	2	3	1	2	—	5	26	13	13	—	3	18	4	14	—
Receiving stolen property	1	1	—	1	—	1	3	1	2	—	2	3	2	1	—	2	2	—	2	—	—	8	12	3	9	—
	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	6	3	3	—
Embezzlement	1	1	—	1	—	1	1	—	1	—	—	—	—	—	—	4	4	2	2	—	—	1	1	1	1	—
Forgery	4	8	6	2	—	3	3	1	2	—	4	3	1	2	—	5	6	1	5	—	—	6	10	3	7	—
Swindling, extortion, &c.	—	—	—	—	—	—	—	—	—	—	1	1	1	—	—	2	2	—	2	—	—	1	1	—	—	—
Malicious damage to property	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Arson	6	6	1	5	—	6	6	3	3	—	8	11	4	7	—	9	11	8	3	—	—	7	7	3	4	—
	43	74	15	48	11	41	68	22	36	10	64	199	63	103	33	72	196	75	108	3	66	135	39	91	5	

APPENDIX L.

APPENDIX.

(RULES FOR SMALLER PRISONS.)

RULES OF THE PRISON AT ———.

1- 8. Gate.
9-13. Distribution of prisoners.
14-16. Clothing.
17-20. Diet
21. Sleep.
22-27. Labour and occupation.
28-31. Instruction.
32-35. Health.

36-38. Visits and letters.
39-47. Prisoners.
48-52. Punishments for prison offences.
53-59. Subordinate officers.
60-62. The matron.
63-67. The medical officer.
68-85. The gaoler.
86-87. Construction.

Gate.

1. No person except the medical officer, and except persons furnished with an order in writing, under the hand of a justice, shall be allowed to enter or leave the prison between the hours of 10 at night and 6 in the morning.

2. No person other than the officers of the prison, the medical officer, and the prisoners shall be allowed to be or remain in the prison between the hours of 10 at night and 6 in the morning, without an order in writing under the hand of a justice.

3. Prisoners on admission shall be searched by persons of their own sex apart from all other prisoners, and all money, effects, and articles whatsoever, except necessary clothing, shall be taken from them; but nothing shall be taken from debtors except dangerous weapons, articles calculated to facilitate escape, and prohibited articles.

4. All money, effects, or articles taken from any prisoner or sent to the prison for his use, and not allowed to be received and retained by him, shall (if not prohibited articles) be placed in the custody of the gaoler, who shall make and keep an inventory of the same.

5. The officer acting as gate porter may examine all articles being carried into or out of the prison, and shall stop any person suspected of bringing spirits or other prohibited articles into the prison or of carrying out any property belonging to the prison, and shall give immediate notice thereof to the gaoler, who may confiscate any such prohibited articles to his own use.

6. The name, age, height, features, particular marks, and general appearance of each prisoner shall, upon his admission, be noted in a prisoners' register to be provided and kept by the gaoler.

7. Every prisoner shall, so soon as possible, be examined by the medical officer, who shall enter in the prisoners' register or other book, to be provided and kept by the gaoler, a record of the state of health of such prisoner.

8. No prisoner shall be discharged (unless upon his own requisition) whilst labouring under any dangerous distemper, or if the medical officer shall certify that discharge will be dangerous to the prisoner.

Distribution of Prisoners.

9. Prisoners shall be confined in separate rooms at night, so far as the accommodation will allow, preference being given to prisoners before trial.

10. Prisoners for whom separate rooms cannot be provided shall be associated in rooms with not less than three such prisoners in each such room. Every prisoner shall have a separate bed.

11. Female prisoners shall at all times be kept separate from male prisoners, shall be attended only by persons of their own sex, and shall be prevented from seeing or holding any communication with any male prisoners. No gaoler or other male officer shall enter or be in a room in which any females are confined, unless in the company of the matron or a female warder.

12. Prisoners before trial shall be kept apart from convicted prisoners; debtors shall be kept apart from

criminals; juveniles under 18 years of age from adults; and, so far as shall be practicable, adult male felons shall be kept apart from misdemeanants.

13. No prisoner shall be allowed to enter any room except his own room or his proper work-room; and no prisoner shall be allowed to be in a privy at the same time with another prisoner.

Clothing.

14. Every convicted criminal prisoner shall be provided with a complete prison dress, and shall wear it at all times during the day.

15. Prisoners before trial and debtors may wear their own clothes, unless the same shall be insufficient or be required for purposes of justice.

16. Sufficient bed-clothes shall be provided for each prisoner.

Diet.

17. Prisoners shall receive the diet appropriate to their sentence, according to the following scale:—

Care shall be taken that all provisions are of proper quality and quantity.

18. Extra or different rations shall not be given except by order in writing from the medical officer.

19. Prisoners before trial and debtors may provide themselves with food if they shall demand to do so.

20. No convicted criminal prisoner shall under any pretence be allowed any spirits, wine, beer, tobacco, or other intoxicating or stupefying drink, drug, or matter, except such and in such quantities as may be directed in particular cases by the medical officer by order in writing to be entered by him in his journal; but prisoners before trial and debtors shall be allowed to provide themselves with such moderate quantities of such articles and under such conditions as the visiting justices may direct by a general order in writing.

Sleep.

21. Convicted prisoners shall be locked into their cells for the night at 9 p.m., and shall have risen and be dressed by 6 in the morning.

Labour and Occupation.

22. Hard labour shall be of two classes, the first class consisting of labour at the wheel or crank or at shot drill, or such other like description of labour as may be appointed by the inspector of prisons, with the approval of the governor in council; the second class consisting of such lighter forms of labour as may be appointed by the like authority.

23. Every male prisoner of 16 years of age and upwards sentenced to hard labour shall, for the first three months, if his sentence shall so long last, be kept at hard labour of the first class for such number of hours, not more than ten nor less than six

APPENDIX.

(exclusive of meals) in each day as may be prescribed by the inspector of prisons, with the approval of the governor in council, and for the rest of his sentence or any part thereof shall continue to be kept in like manner at hard labour, until by superior industry he shall have earned promotion to the second class, according to regulations to be made in this behalf by the inspector of prisons, with the approval of the governor in council.

24. Every male prisoner so promoted to the second class, and every female sentenced to hard labour, and every male under 16 years of age sentenced to hard labour, shall be kept at hard labour of the second class during such number of hours, not more than 12 nor less than eight (exclusive of meals) in each day as may be appointed by the inspector of prisons, with the approval of the governor in council.

25. No prisoner shall be employed at hard labour on Sundays (or in the case of Jews on Saturdays), or on Christmas day, or at any hours or times, or in any kind of labour at or in which the medical officer shall certify in writing that such prisoner is unfit to be employed, such certificate to hold good for not more than one week unless renewed.

26. Criminals before trial, convicted criminals not sentenced to hard labour, and debtors shall have the option of labour.

27. No gaming shall be allowed in the prison. The prison officers shall seize and destroy all instruments of gaming found therein.

Instruction.

28. Provision shall be made for the instruction of prisoners in reading, writing, and arithmetic, during such hours and to such extent as the inspector of prisons may direct, provided that such hours shall not be deducted from the hours prescribed for hard labour.

29. No criminal prisoner shall be employed in instructing other prisoners.

30. No books or printed papers shall be admitted into any prison and used by the prisoners, except by permission of the visiting justices or the inspector of prisons.

31. The directions of the visiting justices with regard to religious services shall be carried out.

Health.

32. The prison and every room and part thereof shall be kept clean, and shall as often as may be necessary be washed or whitewashed with lime.

33. The bed-clothes shall be aired, changed, and washed as often as the medical officer may direct.

34. All prisoners not employed in the open air shall have the means of taking such exercise in the open air as the medical officer shall deem necessary for their health, but so that communications shall be prevented.

35. A proper room or infirmary shall be set apart for sick prisoners.

Visits and Letters.

36. Convicted criminal prisoners shall be allowed once in every three months to receive a visit from friends, and to write and receive a letter. No other visits or communications shall be permitted without an order in writing from a justice. The gaoler shall be present during the whole of every such interview; and he shall read every letter written by or addressed to any such prisoner; and if he shall see cause shall detain the same, and shall at the first opportunity take the orders of a visiting justice or the inspector of prisons thereon.

37. Prisoners for trial and debtors shall be allowed all reasonable opportunities of communicating with their friends or legal advisers.

38. The gaoler may demand the name and address of any visitor to a prisoner, and when he has any ground for suspicion may search or cause to be searched male visitors, and may direct a female officer to search female visitors, such search not to be made in the pre-

sence of any prisoner or of another visitor, and in case of any such visitor refusing to be searched the gaoler may deny such visitor admission, and shall forthwith enter the grounds and particulars of such proceeding in his journal.

Prisoners.

39. Prisoners shall obey all orders of the gaoler and other officers.

40. No criminal prisoner shall under any pretence, or at any time, speak or make signs to any other prisoner whatever.

41. Prisoners shall not sing, scream, shout, whistle, or talk to themselves, or make any unnecessary noise at any time.

42. Criminal prisoners shall not without necessary occasion speak to any officer of the prison, and then shall speak in a low tone and as briefly as possible.

43. Prisoners shall not without permission walk about in their cells or rooms.

44. Prisoners may make complaints to any visiting justice, or to the inspector of prisons, or to the principal gaoler (or in the case of females, to the matron), but not, except as in the next rule, to any subordinate officer.

45. Prisoners may require to have their food weighed in their presence; but after a prisoner shall have eaten any portion of his food no complaint of the quantity of the same shall be heard.

46. No criminal prisoner shall give, barter, or sell any portion of his food to any other prisoner.

47. Prisoners shall keep themselves, their clothes, and their cells or wards, with the furniture therein, clean and tidy.

Punishments for Prison Offences.

48. No punishment or privation of any kind shall be awarded except by the gaoler, the visiting justices, or the inspector of prisons.

49. The following offences by prisoners are offences against prison discipline, and are punishable by the gaoler with close confinement with bread and water for not exceeding three days, viz. :—

- i. Disobedience to the rules of the prison.
- ii. Common assaults by one prisoner on another.
- iii. Profane swearing.
- iv. Indecent behaviour.
- v. Disorderly conduct in chapel.
- vi. Insulting or threatening prisoners or officers.
- vii. Idleness or negligence at work.
- viii. Wilful mismanagement of work.
- ix. Defacing or injuring the walls, furniture, or other property of the prison.

The gaoler shall enter in a separate punishment book, to be provided by him for the purpose, a statement of the date and nature of any offence punished under this regulation, with the name of the offender and the punishment inflicted.

50. If any prisoner is guilty of a repeated offence against prison discipline, or of any offence which the gaoler is not empowered to punish, the gaoler shall report the same to the visiting justices, or one of them, or to any justice having jurisdiction in the prison, or to the inspector of prisons, and any such justice or inspector shall have power to inquire upon oath, and to determine concerning any matter so reported to him, and to order the offender to be punished by confinement in a punishment cell for any term not exceeding one month, upon such diet as he may think fit, or, in the case of prisoners convicted of felony, by personal correction. But no such sentences to solitary confinement shall in the case of any one prisoner together exceed three months in one year.

51. The gaoler may place a prisoner in irons or under mechanical restraint in cases of urgent necessity, and not otherwise; and the particulars of every such case shall be forthwith entered in the gaoler's journal, and notice thereof shall be forthwith given to a visiting or other justice, and such restraint by irons or otherwise shall not be continued for more than 24 hours

without an order in writing from a justice specifying the cause thereof and the time during which the prisoner is to be kept in such restraint, which order shall be preserved by the gaoler as his warrant.

52. All corporal punishments shall be attended by the gaoler and by the medical officer. The medical officer shall give such orders for preventing injury to health as he may deem necessary. The gaoler shall carry such orders into effect, and shall enter in the punishment book the nature and date of the offence, the name of the prisoner, the day and hour of the punishment, the name of the justice by whom it was ordered, the number of lashes, and any orders of the medical officer on the occasion.

Subordinate Prison Officers.

53. Officers shall obey the orders of the gaoler.

54. Officers shall immediately report to the gaoler any offences or irregularities on the part of any prisoner or officer.

55. No officer shall sell or let nor shall any person in trust for or employed by him sell or let or derive any benefit from the selling or letting of any article to any prisoner; and no officer or person in trust for or employed by any officer shall have any interest, direct or indirect, in any contract for the supply of the prison.

56. No officer shall receive any fee or gratuity whatsoever from or on behalf of any prisoner or visitor to any prisoner.

57. Officers shall not be absent from the prison during hours of duty without leave from the gaoler, and before leaving the prison at any time they shall leave their keys and books in the gaoler's office.

58. Officers shall not receive visitors in the prison without permission of the gaoler.

59. Officers shall hold no communication with prisoners except such as is necessary in the execution of their duties. They shall not provoke or use unnecessary violence towards prisoners.

The Matron.

60. The matron shall reside in the prison. She shall not be absent for a night without leave in writing from a visiting justice, and in case of such absence she shall appoint a deputy matron, to be approved by a visiting justice. Such deputy matron shall have the same powers and be subject to the same responsibilities as a matron.

61. The matron shall inspect every part of the prison occupied by females, and see every female prisoner therein, at least once in every 24 hours, and shall at least once in each week at an uncertain hour in the night go through such part of the prison.

62. She shall keep a journal in which she shall record the state of such part of the prison at each inspection, all important occurrences, all punishments of female prisoners, and all absences. The rules for the conduct of the gaoler shall apply to the matron so far as they shall be applicable to her.

The Medical Officer.

63. The medical officer shall see every prisoner once a week, and every prisoner confined in a punishment cell once a day, and shall at uncertain times inspect the prisoners whilst at hard labour, and shall direct such modifications of labour, diet, and punishment as in particular cases he shall deem necessary.

64. He shall enter in a case-book, to be kept in the prison, an account of the name, disease, state, and treatment of every sick prisoner.

65. He shall call the attention of the gaoler to any prisoner whose mind appears likely to be injuriously affected.

66. At least once in every three months he shall inspect every part of the prison, and shall make a report in writing to the inspector of prisons upon the sanitary state of the prison and the health of the prisoners.

67. In the event of the death of any prisoner the

medical officer shall forthwith enter in his case-book the date at which the illness was first observed, the time when the illness was first reported to him, the nature of the disease, the date of death, and the results of the post-mortem examination, if any.

The Gaoler.

68. The principal gaoler shall reside in the prison. He shall not be an under sheriff or bailiff, or be concerned in any other employment.

69. He is responsible for the due observance of all the rules of the prison.

70. He may suspend any officer other than the medical officer and the matron, for misconduct, and shall report the particulars without delay to the inspector of prisons.

71. In case he shall become aware of any violation or neglect, by whatsoever person, of any of the rules of the prison, and shall be unable of his own authority to prevent a repetition of such violation or neglect, he shall forthwith report the name of such person and the nature of the offence or neglect to the inspector of prisons or to the colonial secretary.

72. He shall visit the whole of the prison, and see every male prisoner, once at least in every 24 hours, and in default of such daily visits and inspections he shall state in his journal how far he has omitted them, and the cause of such omission. He shall, at least once during the week, go through the prison at an uncertain hour of the night, which visit with the hour and the state of the prison at the time he shall record in his journal.

73. He shall frequently test the quantity and quality of the rations supplied to prisoners.

74. He shall see that nothing likely to be used to facilitate escape shall be left or kept without proper safeguards against such use.

75. He shall cause a printed abstract (to be approved by the inspector of prisons) of the rules relating to the treatment and conduct of the prisoners, with a copy of the prison dietaries, to be kept posted in each cell or room, and shall read or cause the same to be read to every prisoner who cannot read within 24 hours after his admission, and once in every subsequent three months.

76. He shall notify to the medical officer without delay the illness of any prisoner, and shall deliver to him daily a list of prisoners who are ill or who complain of illness, and a list of prisoners in punishment cells.

77. He shall carry into effect all written directions of the medical officer respecting alterations in the diet, discipline, or treatment of any prisoner.

78. He shall without delay report to the visiting justices any case of insanity or apparent insanity.

79. He shall upon the death of any prisoner give immediate notice thereof to the coroner of the district, to a visiting justice, and to the most accessible known relative of the deceased.

80. He shall make up and keep the following records and accounts, viz. :—

- i. A register of all prisoners committed, with the sentence, the date of commitment, and the date and hour at which the sentence will expire.
- ii. A record of articles taken or detained from prisoners.
- iii. A journal of matters by these rules directed to be therein recorded, and of all other important occurrences.
- iv. A record of the times and manner of employment of prisoners sentenced to hard labour.
- v. A record of punishments for prison offences.
- vi. A record of all cases of sickness, distinguishing infirmary cases, with the number of days spent in the infirmary.
- vii. A visitors' book for the entry of observations by visitors, and for the entry by the gaoler of the number and dates of visits of the medical officer, the visiting justices, and the inspector of prisons.

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- viii. An inventory of all prison furniture and moveable property.
 - ix. An account of all prison disbursements and receipts, with the numbers of ordinary and extra rations of all kinds issued.
81. He shall be responsible for the safe custody of all journals, registers, records, papers, books, and documents confided to his care.
82. He shall not be absent from the prison for a night without permission in writing from a visiting justice; and his leave of absence, with the name of the visiting justice granting it, shall be entered in his journal, and if absent without leave for a night from unavoidable necessity he shall state the fact and the cause of it in his journal.
83. In case of necessity the gaoler may with the approval of the visiting justices appoint a deputy gaoler, who shall during the time for which he shall so be appointed exercise the same powers (including that of nominating a substitute) and be subject to the same responsibilities as if he were the gaoler.

84. In cases of sudden emergency the gaoler shall take such action and make such temporary rules and engage such extra nurses or assistants as he may deem necessary, entering the particulars of the same in his journal, and forthwith making a report of the same to the visiting justices.

85. The gaoler shall submit himself to answer, upon oath if required, all questions of the inspector of prisons or of the visiting justices relating to affairs of the prison, and shall make reports at such times and of such particulars as may be directed by the inspector of prisons.

Construction.

86. All rules made by the inspector of prisons or by the visiting justices, in pursuance of their respective powers, shall be deemed to be part of these rules.

87. All officers or attendants, other than the principal gaoler, the principal matron, the medical officer, and the chaplain, shall be deemed to be subordinate officers.

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For Her Majesty's Stationery Office.

FURTHER CORRESPONDENCE

RESPECTING THE

DISCIPLINE AND MANAGEMENT OF PRISONS IN HER MAJESTY'S COLONIAL POSSESSIONS.

(In continuation of Papers presented by Command 1867.)

Presented to both Houses of Parliament by Command of Her Majesty
July 1868.



LONDON:

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1868.

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THE Digest and Summary of Information respecting Colonial Prisons which was presented to Parliament by Command of Her Majesty in 1867 was, together with the Prisons Act of 1865 (28 & 29 Vict. cap. 126.), transmitted by the Duke of Buckingham and Chandos to the four classes of colonies specified below in the four following Circular Despatches.

The answers from different Colonies to the Circular Despatches, together with the Secretary of State's rejoinders, form the rest of this paper.

It will be seen by reference to page 2 of the Command Paper of 1867 that certain colonies had not then answered Mr. Cardwell's Circular Despatches of January 1865, in which were forwarded 37 interrogatories on the state and management of Colonial Prisons. In cases where the Governors of such colonies have now supplied answers to the interrogatories the information contained in them has been digested; in other cases the correspondence is given *in extenso*.

No. 1.

COPY of a CIRCULAR DESPATCH addressed by the SECRETARY OF STATE to the GOVERNORS of such of those Colonies not having responsible Governments as answered Mr. Cardwell's Circular Despatch of January 16, 1865, viz. :—

Western Australia.	Jamaica.	St. Vincent.	Falkland Islands.
Bermuda.	Turks Islands.	Grenada.	Gambia.
	Bahamas.	Tobago.	Malta.
	B. Guiana.	St. Lucia.	Gibraltar.
	Trinidad.	Antigua.	St. Helena.
	Barbados.	St. Kitt's.	Ceylon.
		Nevis.	Hong Kong.
		Virgin Islands.	Mauritius.
		Dominica.	B. Columbia.

SIR,

Downing Street, June 18, 1867.

WITH reference to Mr. Cardwell's Circular Despatch of the 16th January 1865, enclosing a series of interrogatories regarding Prisons, and to the answer returned by you, I have now to inform you that the course taken with your answer, in common with the answers received from the Governors of other Colonies, was to cause the whole collection to be digested and reported on, under the direction of the Secretary of State, by a gentleman who made himself acquainted by personal inspection with the state of various prisons in this country and in France, and who is conversant with the extensive documentary information in existence respecting prison discipline in this and other countries.

The object was to ascertain how far the most important and unquestionable improvements of prison discipline adopted in this country in recent times had been introduced into colonial prisons, or how far in one or another of the colonies the system of prison discipline might remain, whether in point of humanity or in point of penal efficacy, in the state in which it was found in this country before the attention of public men here and elsewhere had been awakened to the subject.

I enclose a copy of the Digest and Report with which I have been furnished, together with a copy of the Prisons Act, 1865 (28 & 29 Vict. cap. 126).

You will find in this document, together with an exposition of the state of the prisons in the colony under your government, as drawn from the answers to interrogatories, a compendium of the principal conclusions drawn from the experience of this country, in the construction and management of prisons, as set forth in a series of documents of high authority, emanating from Parliamentary Committees, Royal Commissioners, and other official sources, between the years 1844 and 1864.

You will find pointed out in some detail the defects existing at the date of the answers to interrogatories in the prisons for which the local authorities in the colony under your government are responsible; and by comparison with the standard of this country you will be enabled to perceive how far, allowing for necessary adaptation to local circumstances, reforms and improvements are required, in order to meet the just expectations of Her Majesty's Government that the colonial authorities should avail themselves of the knowledge resulting from long and laborious inquiries at home, and place the prisons of the colony on the footing most consonant with humanity and with the vital interests of society involved in the due and efficacious administration of penal law.

I request you to direct your early and serious attention to the subject; and you will be pleased to report to me whether the state of the prisons within your government is still such as it was at the date of the answer to Mr. Cardwell's despatch of January 1865, or what improvements have since been made, or what improvements are in progress or in contemplation; and especially the steps you have yourself taken to acquit yourself of responsibility for any continued existence of remediable effects under the several heads under which they are classified in the enclosed report.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 2.

COPY of a CIRCULAR DESPATCH addressed by the SECRETARY OF STATE to such of those COLONIES not having responsible Governments as did not answer Mr. Cardwell's Circular Despatch of January 16, 1865, viz. :—

British Honduras.
Montserrat.
Sierra Leone.
Gold Coast.
Lagos.

Natal.
Heligoland.
Cape of Good Hope.
Labuan.

SIR,

Downing Street, June 18, 1867.

I HAVE to refer you to Mr. Cardwell's Circular Despatch of the 16th January 1865 on the subject of the Colonial Prisons, and I request you to explain for what reason no answer was returned by you to that despatch.

I enclose herewith a copy of a Circular Despatch addressed by me this day to the Governors from whom replies to Mr. Cardwell's despatch were duly received; and I beg to direct your serious attention to the object which these communications have had in view, and to desire that you will report fully upon the state of the prisons in the colony under your government, with reference to the interrogatories transmitted to you by Mr. Cardwell, specifying the steps which you may have taken, or may propose to take, for effecting any necessary improvements.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 3.

CIRCULAR DESPATCH addressed by the SECRETARY OF STATE to the Governors of such of those Colonies having responsible Governments as answered Mr. CARDWELL'S Circular Despatch of the 17th of January 1865, viz. :—

Canada.
Nova Scotia.
New Brunswick.
Prince Edward Island.

Queensland.
Tasmania.
South Australia.

SIR,

Downing Street, June 18, 1867.

IN Mr. Cardwell's Circular Despatch of the 17th January 1865 he enclosed, for your information and that of your advisers, should they feel disposed to make themselves acquainted with its contents, a copy of a Circular Despatch which he had addressed on the day preceding to the Governors of Colonies in which the Government is not responsible to the Local Legislature on the subject of Colonial prisons, with a view to obtain, in the form of answers to a series of interrogatories, an exposition of the state of the prisons in each Colony, in respect of their construction, discipline, and management, and to ascertain how far they might be in conformity with approved models in this country, and what reforms might be required in them.

Mr. Cardwell observed that the system of government established in the Colony under your Government relieved him from the responsibility under which he lay in respect of the Colonies to which the circular was addressed, but that he was not the less desirous to afford the authorities acting under you any assistance which they might desire to receive in applying the experience of this country, and the labours of the eminent men who had made that experience their study, to the purpose of effecting any amendments which might be needed in the prisons and systems of prison discipline in use in the Colony under your government.

In the same spirit I now transmit to you a copy of a Digest of the answers received to Mr. Cardwell's Despatches and interrogatories, with a report upon them, drawn up under the direction of the Secretary of State; and along with this, a copy of a Despatch which I have addressed this day to the Governors of Colonies in which the Government is not responsible to the Local Legislature.

I should learn with pleasure that the endeavours of my predecessor to be of use in this matter have been attended with satisfactory results.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 4.

COPY of a Circular DESPATCH addressed by the Secretary of State to the Governors of such of those Colonies having responsible Governments as did not answer Mr. CARDWELL'S Circular Despatch of January 17, 1865, viz. :—

New South Wales.
Victoria.

New Zealand.
Newfoundland.

SIR,

Downing Street, June 18, 1867.

I ENCLOSE herewith a copy of a Circular Despatch, with its annexures, which I have addressed to those Governors of Colonies under responsible Government, from whom answers were duly received to Mr. Cardwell's Circular Despatch upon prisons, dated the 17th January 1865.

It is quite possible that, with the limited powers committed to the Governor by the system under which your Government is administered, he may have found himself unable to take any steps in the matter to which Mr. Cardwell's Despatch referred; but I must be allowed to express some disappointment that no notice whatever should

have been taken of a Despatch addressed to the Governor by the Secretary of State, in the hope that it might have been useful in promoting improvements in a very important class of public institutions.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

No. 5.

COPY of a DESPATCH from the DUKE OF BUCKINGHAM AND CHANDOS to Governor Sir H. BARKLY, K.C.B.

SIR,

Downing Street, June 26, 1867.

I ENCLOSE herewith a copy of a Circular Despatch which I have addressed to the Governors of Colonies from whom answers have been received to Mr. Cardwell's Circular Despatch of 16th January 1865, respecting prisons.

In the ordinary course of things this Circular Despatch would reach you in common with other Governors of Colonies of the same class. But the state of the prisons in Mauritius, as described in the answers to interrogatories, and in the accompanying Digest, renders it necessary that I should address you on the subject separately and individually.

I refer you to pp. 15-19 of the digest, and especially to pp. 16, 17, in which an account is given of the prisons of Grandport, Flacq, and Reviere du Rempart. The want of space in these prisons for the numbers of persons crowded into them is so excessive that it appears even to be attended with much destruction of life.

You avow yourself to be sensible that more and better prison accommodation is the most urgent and crying want of the Colony; but at the same time you appear to consider that it is sufficiently accounted for by the pressure on the revenue occasioned by the construction of the railways, and by the constant accession to the population, and consequently to the criminals by immigration. I cannot regard this as a justification of the state of things disclosed.

I am persuaded that when the facts have been brought as distinctly as they now are to your notice, you will feel with me that it is impossible that such a state of things should be allowed to continue.

Either proper and adequate places of confinement must be found at once, or the portion of vagrants and deserters from plantation work, for whom adequate space in the prisons cannot be provided, must be suffered to go at large.

I trust, however, that in the wealthy and prosperous Colony which you govern the financial difficulties of the case will not be found insurmountable, or allowed to interfere with the immediate provision of the required prison space, when once the magnitude of the evil to be remedied shall have been fully appreciated; and your own high character as an administrator assures me that the resources at your command will be applied to the object with the utmost economy and efficiency.

I have, &c.

BUCKINGHAM AND CHANDOS.

Governor Sir H. Barkly, K.C.B.,
&c. &c. &c.

WEST INDIES.

WEST
INDIES.

No. 1.

No. 1.
Jamaica.

JAMAICA.

NOTE.—A Despatch has been received from the Governor of Jamaica, dated 21st March 1868, which will be presented in a supplementary paper.

No. 2.

BRITISH HONDURAS.

No. 2.
British
Honduras.

COPY of a DESPATCH from Lieut.-Governor LONGDEN to his Excellency Governor Sir J. P. GRANT, K.C.B.

(No. 21.)

SIR, Government House, Belize, December 13, 1867.

IN reply to the Secretary of State's Circular of the 18th June last, requiring me to explain for what reason no answer was returned to Mr. Cardwell's Circular Despatch of 16th January 1865, on the subject of colonial prisons, I have the honour to report that the interrogatories were returned by Lieutenant Governor Austin in his despatch No. 150,* dated 8th September 1867, together with a statement of the cause of delay.

2. The bill alluded to by Lieutenant Governor Austin in that Despatch for the abolition of the Gaol Board was not passed by the Assembly.

3. I do not regret this, because I think that a more valuable enactment may now be framed, with the aid of the suggestions contained in the digest and report just received, and with the example of the Imperial "Prisons Act, 1865."

4. The law in this Colony called "The Gaol and Asylums Act," passed in 1861, applies to the gaol, poor-house, public hospital, and lunatic asylum in the town of Belize.

5. There is another Act passed in the last session of the Legislative Assembly (30 & 31 Vict. c. 5.), providing that prisoners may be detained elsewhere than in Belize, in buildings to be provided by the inhabitants of any district for the safe keeping of prisoners. The defects of this Act are pointed out in the Secretary of State's Despatch No. 16, dated 31st October last.

6. There is also an Act passed in the same session (30 & 31 Vict. c. 6.) "to provide for the better enforcement of sentences of penal servitude, and of imprisonment with hard labour and for other purposes," which Act has been objected to by the Secretary of State for the reasons specified in his Grace's Despatch No. 15, 31st October 1867.

7. I propose to embody the unobjectionable clauses of all these three Acts in one comprehensive bill, applicable not only to the Belize gaol, but to all places in the Colony where prisoners are confined, and to introduce the improvements suggested in the Secretary of State's Circular and the papers sent therewith. I propose to provide in a separate Act for the maintenance and regulation of the poor-house, hospital, and lunatic asylum.

8. The preparation of such an Act with proper care will necessarily occupy much time, but I feel assured that the Secretary of State would prefer a little delay to hasty and imperfect legislation on such an important subject.

9. I may add in conclusion that I have minutely inspected the gaol in presence of the chairman of the Board of Superintendence and of the police magistrate, to whom I pointed out the improvements which were necessary to be made at once, and I am glad to say that I was able to congratulate the keeper of the gaol on the perfect order and cleanliness which I found everywhere in the building.

I have, &c.

(Signed) J. R. LONGDEN,
Lieutenant Governor.

Sir J. P. Grant, K.C.B.,
&c. &c.

* This Despatch will be presented in a supplementary paper.

WEST
INDIES.

No. 3.
Turks
Islands.

No. 3.

TURKS ISLANDS.

COPY of DESPATCH from Governor Sir J. P. GRANT, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 111.)

My Lord Duke,

King's House, Jamaica, November 21, 1867.

WITH reference to your Grace's circular Despatch of 18th June last, I have the honour to transmit to your Grace herewith a Despatch from the President of Turks Islands, reporting the progress made in the erection of the new gaol.

I have, &c.

His Grace the Duke of Buckingham and Chandos. (Signed) J. P. GRANT.
&c. &c. &c.

(No. 95.)

SIR,

Government House, Grand Turk, October 17, 1867.

IN reply to the Circular Despatch from the Secretary of State, dated 18th June 1867, which I received on the 14th instant, having reference to the state of the prison within this Government, I have to report that the new gaol is now in progress of erection, the contractor for the stone work having nearly completed two-thirds of his contract, while the necessary wood work is being proceeded with as rapidly as practicable.

2. It is my earnest desire to remedy the long existing defects, but owing to the almost total ruin of the old building in September 1866, the improvements which had then been effected were destroyed, and I cannot conscientiously report that much, tending to a better state of things than that now in existence, can be accomplished until the new building shall be completed.

3. After despatching the mail to-morrow, I shall make the Blue Book on Prison Discipline just received a subject of study, and shall adopt every means within my power to remove any remediable defects which have heretofore obtained in this institution.

I have, &c.

His Excellency Sir J. P. Grant, K.C.B.,
Captain-General and Governor-in-Chief,
&c. &c. &c.
Jamaica.

(Signed) ALEXANDER W. MOIR.

No. 4.
British
Guiana.

No. 4.

BRITISH GUIANA.

COPY of a DESPATCH from Governor HINCKS, C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 149.)

MY LORD DUKE,

Government House, Demerara, November 5, 1867.

I HAVE not failed to give my best consideration to your Grace's circular despatch of the 18th June, transmitting copies of the Imperial "Prisons Act, 1865," and of the digest and summary of the answers of colonial Governors to the Secretary of State's circular despatches on the subject of colonial prisons.

2. Your Grace instructs me to report whether the state of the prisons in this colony is still such as it was at the date of the answer to Mr. Cardwell's despatch of January 1865, or what improvements have since been made or what are in progress or contemplation, and the steps which I have taken to acquit myself of responsibility for any continued existence of remediable defects.

3. I have the honour to report that since the period of my assumption of this government very considerable improvements have been made in the prisons of this colony both prior to and subsequently to the date of the answer to Mr. Cardwell's despatch, and I

shall not fail to continue such improvements as rapidly as the means placed at my disposal by the Combined Court will enable me to do.

4. I have been so incessantly occupied with urgent business in town since my return that I have as yet been unable to visit all the public institutions of the colony as I would have wished to do, but I hope in the course of a few days to make a personal inspection of the prison at New Amsterdam as well as of a new prison now in course of erection on the east coast, and it is my intention to take a very early opportunity of visiting the penal settlement. I would have deferred for a short time making any report to your Grace on this subject, but that a question has arisen which I feel it necessary to submit for your Grace's consideration. The prisoners for offences against the immigration ordinance have been steadily increasing, not however in a greater proportion than the aggregate number of the immigrant population. They are now about 150 in number and are chiefly in Georgetown Gaol. I have for some time been of opinion that the existing arrangements are far from satisfactory, and that it would be desirable if possible to effect a complete separation of the immigrants from the ordinary prisoners in confinement in the gaols.

5. I have the honour to transmit to your Grace an extract from a report of the acting Immigration Agent General dated 2d May 1866. At the latter end of that month I left the colony for England, and I was consequently unable to take up the subject. During my absence at the last session of the Combined Court a very general desire for district prisons was expressed by the elective members, and after much discussion resolutions were adopted which were transmitted to your Grace by Lieutenant Governor Mundy in his despatch of 6th July last.

6. On my arrival I found that the experiment was so far in progress of being tried that considerable expenditure had been incurred on two local prisons, one on the east coast and the other on the west coast of the county of Demerara.

7. I must own that I do not by any means think as favourably of the experimental scheme as I do of that of the acting Immigration Agent General, but nevertheless these new prisons are constructed with much larger cells than have been generally used in the West India Colonies, are unexceptionable on sanitary grounds, and one of them in the vicinity of a considerable labour market.

8. I have since my return obtained from Mr. Gallagher the draft of a bill which he has prepared to give effect to the suggestions made in the letter already referred to. I have the honour to transmit a copy of that bill to your Grace. I may observe that Mr. Gallagher is a very zealous and meritorious officer, that he is most watchful in protecting the immigrants from ill treatment of any kind, and that I entertain no doubt that he believes as I do that the proposed change will be in every way beneficial to the immigrant population.

9. I may add that it seems to me wholly unnecessary and inexpedient to place these immigrant labourers in separate cells. Airy and well ventilated rooms would answer every purpose as dormitories, and the precautions against escapes need be very few. Although I am myself fully persuaded that the principle of the draft bill is unobjectionable, yet I think it would be inexpedient to proceed to legislate on so important a subject without ascertaining that your Grace entertains no insuperable objection to the leading principle of the measure. I may likewise add that on the course to be taken with regard to the Indian and Chinese prisoners must depend in a great degree the measures to be adopted for the improvements of the prisons generally. If Georgetown and New Amsterdam gaols could be relieved from the immigrant prisoners there would be ample room in them for prisoners of other descriptions.

I have, &c.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed) F. HINCKS.

EXTRACT of a Letter from the Immigration Office, dated May 2, 1866.

With respect to the general question, however, I think it is open to grave doubt whether situated as our immigrant labourers are in this Colony they should be subjected to imprisonment with hard labour, as at present carried out, for such offences as those referred to; and I am strongly inclined to think that the present system not only bears somewhat hardly on the offenders, but that it unfortunately operates as an inconvenience to the complainant also in his capacity of employer. I respectfully submit that mere negative offences, such as absence from work, or from the plantation without leave, or neglect or refusal to perform a certain quantity of work, or any work pointed out (without sufficient reason to the contrary), ought not to be punished so gravely if an effectual remedy

of a less penal kind can be discovered. His Excellency justly observes that the case of Iotoah illustrates the inexpediency of the present system, since that immigrant being sentenced to imprisonment with hard labour while physically incapable of performing such labour uncontestedly proves,—1stly, that hardships may, and no doubt occasionally do occur by such sentences being carried into full effect. 2ndly, that the operation of the law is liable to become merely nominal, as in the case of Iotoah, from the impossibility of its being carried out, and thus a tendency to destroy that salutary fear of legal punishment becomes, in so far, established. The employer too loses the benefit of the labourer's services for a certain period, and it may happen that this occurs at a time when such services are most required.

While it may be assumed therefore that imprisonment in Her Majesty's gaols with hard labour is objectionable as a punishment for breaches of the labour laws, it is quite certain that some efficient system for the prevention of such offences, or for their punishment in an adequate and practical manner, must be devised; for it is undoubtedly true that these offences are of very frequent occurrence, and are the cause of much inconvenience, and pecuniary loss to employers, both directly and indirectly. The alternative which I considered might be adopted in Iotoah's case, namely, punishment by extension of the term of service, is not, I conceive, one which it would be either practicable or desirable to adopt as a system, although I believe it to be well suited to the circumstances of that peculiar case, and of similar isolated ones. I respectfully submit that extension of the term of indenture, except for a period corresponding with the period of actual absence by desertion or imprisonment on conviction, must be looked upon with suspicion, and might if generally resorted to, be abused, and made oppressive. I do not consider therefore that the remedy lies in that direction.

The proposal made some time since in the Court of Policy, by an Hon. Member, namely, that such offenders should be kept in district gaols, and their labour utilized, is impracticable, no doubt, as suggested; but yet I am decidedly of opinion that a scheme to secure the proposed advantages, and at the same time to provide milder punishment for the immigrant labourers convicted of offences of a negative kind might be tried with advantage, and possibly be found more effective than the present system as well as more practically useful, while it could be made to possess the additional advantage of being necessarily self-supporting. I would suggest that such alteration be made in the existing law as would enable the stipendiary justices to sentence the class of offenders above described to a term of service on an estate other than that to which they may be under indenture of service, and to surveillance during that term, such term should not exceed that for which such offenders are now usually committed to gaol for similar offences, and the surveillance could be provided for by the special attendance of two or more rural constables with each gang of such convicted offenders, while at work, and by the lock-up in which such offenders should be secured for the night being guarded by two or more other such constables.

These lock-ups should be on the estate on which such convicted offenders might be placed, and should be under the supervision of the stipendiary magistrate, the justices of the peace generally, and the inspectors of police, as well as of the immigration department, and the Inspector-General of Estates Hospitals. Provision for their being thus properly kept might be made by adopting the system of licensing such lock-up on each estate applying for the privilege. The offenders should be provided with food also at the expense of the estate, and should be kept at work from 6 A.M. until 6 P.M. with intervals for breakfast and dinner, they should not wear any prison dress but should work apart, and not be allowed to communicate with the other immigrants on the estate, and should be permitted to see and receive friends, and extra supplies under certain restrictions. Such penal terms of service should be made up to the estate to which the immigrant may in each case be under indenture, and under the provisions of the ordinance likely to be introduced by his Excellency the Governor shortly, due provision is made for the full and complete service being so performed, and no difficulty could herefore arise in this respect.

With respect to the cases of immigrants charged with such offences while in an unhealthy or debilitated state, I respectfully submit that it should be distinctly provided they should be remitted to the Estates Hospital, or still better, if practicable, a ward of hospital in connexion with such Estate's lock-up as previously described, and that the punishment inflicted in such case should be a moderate extension of the term of indenture.

I have myself no doubt whatever of the practicability of such a scheme. Difficulties of detail would, of course, present themselves in the carrying out of the system, but an open provision for after regulation by his Excellency the Governor and the Honourable Court of Policy would, I apprehend, be found sufficient to meet such difficulties. With regard to the manner in which such a plan would be viewed by the proprietors and others concerned for estates in the colony, I anticipate that there would be found a strong feeling in its favour. The proposal made in the Court of Policy to which I have already referred, is in itself a proof that the mere utilization of the labour for the benefit of the planters would be a strong argument in its favour, and I have been assured in conversation, that a leading planter out of court has expressed himself quite ready to take advantage of any such arrangements as I now submit for his Excellency's consideration:—The following advantages would be secured:

- 1st. Complete utilization of such penal labour.
- 2d. Moderate, yet I submit effective, and sufficient punishment for such offences.
- 3d. Desirable and appropriate provision for the cases of immigrants convicted of such offences while unfit to labour on account of illness; and,
- 4th. That the system would be completely self supporting.

I should perhaps apologize for the length of this report, and for the manner in which I have reported, but I trust his Excellency the Governor will consider the importance of the subject and my desire to improve the system now in force sufficient apology.

(Signed) D. M. GALLAGHER,
Acting Immigration Agent General.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor HINCKS, C.B.

WEST
INDIES.

(No. 146.)

SIR,

Downing Street, January 10, 1868.

I HAVE received your despatch 149* of the 5th of November, on the subject of immigrant prisons, and I transmit to you a copy of a report on the subject furnished by the Emigration Commissioners.

* Page 8.
31 Dec. 1867.

I concur with the Commissioners in the objection taken by them to the draft bill of the Immigration Agent General, but there are also objections to multiplying small and scattered places of confinement even under police surveillance. They are removed from the observation of superior authorities, and smallness of scale implies generally small salaries and indifferent prison officers.

I suggest for your consideration that one or two immigrant prisons should be provided in the vicinity of public works. If a strict system of penal labour and discipline is to be enforced it must be by collecting prisoners in one or two prisons where a sufficient and competent staff can be maintained. Such a course would entail an expense in removals, but not so much probably as would be entailed by the necessary alternative of many small lock-ups where idleness and absence of real penal discipline would be the rule.

I have to observe that in Trinidad immigrant prisoners are subjected to the same penal labour as other prisoners, but that by law they are bound to make up to their employers after the expiration of their original indentures the time lost through their imprisonment.

I have, &c.

Governor Hincks, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

SIR,

Emigration Board, December 31, 1867.

I HAVE to acknowledge your letter of the 16th inst., with a despatch from the Governor of British Guiana, enclosing a report from the immigration agent of that colony, and the draft of a proposed ordinance on the subject of the mode of dealing with immigrants sentenced to imprisonment and hard labour for infractions of the immigration ordinance. This question has arisen in connexion with the more general question of the prison establishments in the colony.

2. There are a considerable number of immigrants always under sentence in British Guiana for offences against the immigration ordinance. At the date of Governor Hincks' despatch they numbered about 150. The offences of which they are guilty are generally desertion, absence without leave, refusal to work, breach of contract, &c. Offences involving no moral turpitude, but such as must naturally be expected to occur among such a population. Hitherto the offenders have been confined in the gaol in George Town; but the governor and the immigration agent consider that that gaol is not a proper place for them. A system of district prisons has been tried, but the governor says with no great success, and he gives the preference to a scheme proposed by the immigration agent for the establishment of private prisons on certain selected estates, to which offenders against the Immigration Act might be sent.

3. The immigration agent's scheme is that "lock-ups" should be established under licence from the Government, upon estates which applied for them; that these lock-ups should be under the surveillance of the police, and that immigrants convicted of offences against the immigration ordinance should undergo their term of imprisonment and hard labour on such estates; that their labour during their term of imprisonment should be for the advantage of the owners of the lock-ups, who should in consideration of it bear all expenses, but that the immigrants should at the end of their indentures make up to their own employers the time lost under punishment. The immigration agent anticipates that the planters would be strongly in favour of such a scheme, and he encloses the draft of an ordinance to give it effect.

4. I agree with the governor and the immigration agent that the common gaols of the Colony in which criminals of all descriptions are imprisoned are not proper places for the confinement of offenders against the immigration ordinance. The agent's scheme would remedy this defect, and would have the further advantages of relieving the Government of expense on account of these immigrants, and of utilizing their labour while under punishment. Nevertheless the scheme appears to me open to objections which outweigh those advantages. It is, I think, contrary to principle to make the labour of offenders under punishment a source of gain to private individuals. Whatever police surveillance might be established it would scarcely be possible under such circumstances to prevent abuse. There must be the risk on the one hand that the owner of the lock-up would endeavour by a severity which might amount to cruelty to extort an excessive amount of labour, or on the other that he might by undue indulgence extinguish the dread of punishment and lead the immigrant to prefer labour under sentence to labour under indenture. There would also be all the evils arising from differences in the mode of treatment on different estates, and the consequent uncertainty as to the effect of a sentence on the offender.

5. If it be said that a police surveillance can be established sufficiently strict to prevent abuses of the above description, the fact as it appears to me points to an alternative free from the risk of them. Instead of encouraging private individuals to provide prisons for the confinement of immigrants, the Government should itself provide them. Instead of allowing the labour of immigrants to be made

WEST
INDIES.

useful for private benefit it should be devoted to the public. The advantage would be that uniformity and certainty would be introduced into the treatment of offenders, that there would be no temptation to any one either to oppress them by over work or to demoralize them by over indulgence, and that they would be under the immediate supervision and control of the executive Government. This system would no doubt entail on the Colony more expense than the immigration agent's scheme; but only expenses which the Colony ought to bear. And these would to some extent be reduced by the value of the immigrants labour on the public works, of which there must be many in British Guiana requiring labour.

6. I would upon the whole submit that in order to withdraw immigrants under sentence for infractions of the immigration ordinance from the common gaols, special places of confinement should be provided for them, that while under punishment they should be employed either in public works or in the cultivation of the ground, and that a strict system should be established to secure that the penalty of hard labour is really exacted from them in addition to the imprisonment. During the daytime they would of course labour in company, but the building should if possible be so arranged as effectually to separate them at night, even if for purposes of ventilation it is inexpedient to cut the building up into separate cells.

Sir Frederic Rogers, Bart.,
&c. &c.

I have, &c.
(Signed) T. W. C. MURDOCH.

COPY of a DESPATCH from Governor HINCKS, C.B., to his Grace
the Duke of BUCKINGHAM AND CHANDOS.

(No. 168.)

MY LORD DUKE,

Government House, Demerara, December 7, 1867.

BEGGING reference to my Despatch of the 5th ultimo*, I have now the honour to report to your Grace that I have recently visited the Penal Settlement on the Essequibo, and that I am now in a position to report more fully than it was then in my power to do on the subject of your Grace's Circular Despatch of the 18th June last.

2. It is no doubt deeply to be regretted that so much yet remains to be done before the colonial prisons will at all bear comparison with those of the United Kingdom. It is impossible to carry out the separate system with effect unless there be a sufficient number of roomy and well-ventilated cells, and as these are not to be found in any of our prisons, and as moreover the latter have been much over-crowded, it is extremely difficult to maintain proper discipline.

3. On reference to the remarks in the Digest, page 51, on the penal settlement, I have the honour to report that the Colonial Civil Engineer has received instructions to erect a new range of cells, 100 in number, which will be of ample dimensions and thoroughly ventilated. In about fifty of these cells I propose to have cellular cranks placed. At present the only penal labour in the colony is shot drill, which however is found very effective as a deterrent punishment. When the new cells shall have been erected there will be ample accommodation at the penal settlement, not only for those sentenced to penal servitude, which cannot be less than five years, but I entertain little doubt for all those prisoners sentenced by the higher courts to imprisonment for more than one year.

4. The classification at the penal settlement is as follows: All convicts undergo a probationary confinement of six months, during which they are confined to their cells, except when undergoing the penal labour of shot drill. After six months they are permitted to labour in association in class 2 which has three divisions. The lowest consists of those not earning marks, owing to prison offences, which always carry with them, as part of the punishment, a loss of marks according to a prescribed scale. This division is composed of what may be termed incorrigible offenders, of whom there will be a certain per-centage in every prison. The next division consists of those who earn their marks and no more, *i.e.* who perform their allotted tasks and behave otherwise well. The third division consists of those who are habitually earning extra marks by exceeding their tasks to a degree specified. A book is kept for every convict in which his marks and punishments are recorded. The first class are those who have earned the number of marks required to place them in this division, and who after a probationary term in this class become entitled to tickets of leave. They are entitled to a certain portion of their earnings not to exceed £30.

5. It is objected in the Digest that the time allowed for sleep is too long. There is a great deal of difficulty in the tropics in regulating the hours of sleep. The bell at the settlement is sounded at 5 o'clock a.m., which is rather before daylight, and the convicts are locked up in their cells at dark. There are no conveniences for lighting the cells, and it would be difficult to prevent the convicts from sleeping while locked up in their cells after a day's hard labour.

*British Guiana,
No. 149.
Page 8.

£6 5 0 Ster.

6. It is made a subject of complaint in the Digest that the rule regarding corporal punishment, amended on 3d March 1863, had been departed from. I cannot but think that the compiler of the Digest must have overlooked a correspondence subsequent to that which took place early in 1863. On the 16th November of that year I addressed a despatch to his Grace the Duke of Newcastle, explaining at some length the reasons which had induced the board of prisons to alter the rule which prohibited the superintendent from carrying out sentences until approved by the Governor. The Duke of Newcastle, in his Despatch of 14th January 1864, in which he conveyed Her Majesty's confirmation of the Prisons Ordinance, observed, "I think it very possible that, as you point out, the delay involved in obtaining the previous approval of the Governor may defeat the efficacy of the punishments for prisoners prescribed by the 21st section of the ordinance, and since you have not found it possible to associate any magistrate or other suitable person with the superintendent in the exercise of the powers of inflicting punishments which are conferred upon him by the law, I am willing that you should revert to the original rule by which the superintendent is empowered to order the punishments on his sole authority, on condition however, that he shall in each case forthwith report the evidence and sentence to the Governor." The despatch from which the foregoing extract has been taken has been my guide with regard to the infliction of corporal punishment at the penal settlement, and I may add that the only case in which I thought the superintendent committed an error of judgment in ordering corporal punishment was one in which he himself determined on abstaining from carrying out the sentence without reference to me. In that case of course it was remitted.

7. The penal settlement has not been used for magistrates' commitments for a very long time. That arrangement was never intended to be other than a temporary one. It is entirely contrary to rule that confirmed lunatics should be kept at the penal settlement. I have no doubt that in the cases referred to there was some diversity of opinion among medical men as to the sanity of the convicts.

8. With regard to Georgetown Gaol, I am of opinion that with improved ventilation in the cells, which I shall have carried out with as little delay as possible, it would, if relieved of the immigrants on the one hand and of the prisoners sentenced by the higher courts to imprisonment with hard labour for terms not exceeding three years on the other, be a very suitable prison for prisoners sentenced by the stipendiary magistrates to short terms of imprisonment which usually vary from a week to three months. The cells would be amply large enough for prisoners with short sentences. The present system is to subject every prisoner to a probationary term of one month with shot drill and reduced rations. With our present accommodation I can effect no more, but the shot drill, which at the date of the Digest was only used as a punishment for prison offences, has been adopted with a most satisfactory result for all prisoners during the first month, and this of course comprises the whole term of a large number of those sentenced by the magistrates. I have no doubt that 75 per cent. of the commitments by the magistrates are for periods not exceeding a month, so that separate confinement with shot drill will be a powerful deterrent.

9. With regard to the Berbice Gaol which I inspected very fully a few weeks ago, the principal defect appeared to be the want of separate cells for the female prisoners. A vote for a female prison with separate cells was on the last estimate, but was thrown out by the Combined Court owing to the very small average of female prisoners. There were only two when the last report was made. I have no doubt that I shall be able to provide an adequate number of cells for females early next year, as I have obtained a large room hitherto used as a court room by the magistrate for whom I have obtained accommodation elsewhere. The gaol is never used for prisoners with long sentences, and I consider the cells which are well ventilated sufficient for prisoners with short sentences who are subjected to labour out of doors.

10. Capoey Gaol is deservedly condemned in the Digest. I am about to obtain additional room by the appropriation to the prisoners of a large room hitherto used as a court room, but this will be a makeshift. It is my intention to place an item on the next estimate for a new gaol for the county of Essequibo, which will be constructed with roomy and well ventilated cells.

11. Great progress has been made with the police lock-ups. I have visited several of them, and was much pleased with the construction, especially the means adopted for good ventilation. Before my departure on leave of absence I had caused an inspection to be made by the Inspector General of Estates Hospitals of all these lock-ups, and I obtained from the Combined Court a considerable vote for the purpose of effecting improvements where practicable, and where not so, of erecting new buildings. These buildings are

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still in progress, but much has been done, and I hope that before long there will be no cause for complaint on this head.

12. It is objected in the report that there is no regular visitation of the gaols and lock-ups. There must be some misconception on this head. The visiting officer of the county gaols is the sheriff. His visits are constant and are as a rule surprise visits. The acting sheriff here, with whom I have been in constant communication on the subject of the substitution of penal labour for that of labour in association on public works, is in the habit of visiting the gaol twice a day, and I am paying it frequent visits myself. Moreover the members of the board of prisons pay surprise visits. The sheriffs of Barbice and Essequibo likewise frequently visit the county gaols, and the penal settlement is visited every month.

13. I have endeavoured to supply your Grace with the information required by your Circular Despatch of the 18th June last.

His Grace the Duke of Buckingham and Chandos, (Signed) F. HINCKS,
&c. &c. &c. Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor HINCKS, C.B.

(No. 150.)

SIR,

Downing Street, January 14, 1868.

* Page 12.

I HAVE received your despatch No. 168* of the 7th December, and I learn with much satisfaction the efforts which have been already made and those which are in contemplation for enlarging the prison room in the colony and effecting the improvements in discipline which added room will render practicable.

There has been, as you observe, some misconception as to visitation of the gaols and lock-ups. The visitation of the gaols at all events appears to be frequent and careful. The lock-ups are very numerous (no less than 104 in number), but I presume that an effective and sufficiently frequent inspection of them can be enjoined by a standing regulation upon the stipendiary magistrates of the districts.

On inquiry I find that the compiler of the Digest does not appear to have been duly furnished with the correspondence between the Duke of Newcastle and yourself, to which you refer me, and which explains the departure from the rule of 3d March 1863 on the subject of corporal punishment.

I have, &c.
Governor Hincks, C.B., (Signed) BUCKINGHAM AND CHANDOS.
&c. &c.

No. 5.

Bahamas.

No. 5.

BAHAMAS.

COPY of a DESPATCH from Governor RAWSON, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 148.)

MY LORD DUKE,

Government House, Nassau,
September 25, 1867.

I HAVE the honour to acknowledge your Grace's Circular Despatch of 18th June last, relating to prisons, and, in accordance with your instruction, to report upon the present condition of those in this Colony.

2. The only prison in which more than three or four persons are confined at a time is that of Nassau. The General Court sits only at Nassau. All prisoners committed elsewhere for trial are sent up there by the first opportunity. The sentences of the Court are carried out there. The prisons, therefore, of the out islands are used only for the confinement of offenders under sentences of the local magistrates, which never exceed six months, and are usually of a much shorter duration, and of persons under arrest, or under committal for trial before the General Court.

3. With this preliminary remark, I will proceed to report on the observations contained in the Digest upon the prisons of this Colony.

1°. The new prison in Nassau is nearly finished, and will soon be occupied. I have forwarded copies of the Digest to the Commissioners charged with its erection, and to the Prison Committee charged with the general superintendence of the prisons of the Colony.

2°. I have visited the prison at Inagua twice since the report upon it was sent home. It has four cells. As each has an exterior window, and is open up to the roof, which has a ventilator all round the cap, and as the partition walls do not run up to the roof, it appears to me that it is sufficiently ventilated and lighted; and it certainly is a wholesome healthy prison.

3°. Females are seldom confined in the Out Island prisons. When they are, the gaoler's wife usually attends upon them.

4°. The locks-up, of which I have seen several, are generally detached stone buildings, of two or more cells, erected expressly for this purpose, paved or boarded, lighted, and sufficiently ventilated.

5°. The prison in Nassau is under the immediate superintendence and management of a Committee, consisting of the Attorney General, the Police Magistrate, and two or more Justices of the Peace. They visit it weekly, examine the officers and prisoners, and report monthly to the Governor, who, further, receives weekly detailed reports showing the number of prisoners, their employment, prison offences, punishments, good-conduct marks, &c.

6°. The Out Island Prisons are under the immediate supervision of the police magistrate at the place of his residence, and the locks-up in the other settlements are visited at least twice a year on the periodical circuits of the magistrates.

7°. The Attorney General reports to me that upon the passing of the Imperial Act of 1838 the existence of the above arrangements and the efficiency of their operation were considered to render the appointment of a paid inspector unnecessary.

I have, &c.

(Signed) RAWSON W. RAWSON,
Governor.

His Grace the Duke of Buckingham and Chandos.
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor RAWSON, C.B.

(No. 115.)

SIR,

Downing Street, January 17, 1868.

I HAVE had under my consideration your Despatch 148* of the 25th September, in answer to my Circular Despatch of the 18th June last on prison discipline.

* Page 14.

I learn with satisfaction that the new prison in Nassau is nearly finished, and that you have forwarded copies of the Prison Digest to the Commissioners charged with its erection, and to the Committee charged with the general superintendence of the prisons of the Colony.

It will not have escaped your notice, that of the points of prison discipline brought under consideration in this country none have been regarded as more essential than,—1st., The effectual establishment of the separate system; 2d., The enforcement, in the earlier stages of imprisonment with hard labour, of strictly penal labour, by which is meant labour enforced by the treadmill, or crank, or by shot-drill. I trust that you will be enabled in no long time to report that steps have been taken for introducing the separate system, and for resuming the use of the treadmill in the gaol of Nassau.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

To Governor Rawson, C.B.

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Copy of a DESPATCH from Governor RAWSON, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 98.)

Government House, Nassau,
June 24, 1868.

MY LORD DUKE,

I HAVE satisfaction in reporting that the new prison, lately erected in this city, has been completed, and that the prisoners were transferred to it yesterday.

2. I anticipate that the system of separate confinement, which can now be introduced, will have a very beneficial effect in contributing to the repression of crime, and the diminution of the number of prisoners.

* Page 15.

3. I shall not lose sight of the other point to which my attention was called in your Grace's Despatch of the 17th January last, No. 115,* namely the enforcement of strictly penal labour in the earlier stages of confinement.

4. The treadwheel is at present in use, and will continue to be used in the new prison; but at present, and for some time to come, the able-bodied prisoners, or a large proportion of them are, and will be, employed in the heavy and laborious task of quarrying stone for the external walls of the new prison, which have still to be erected.

I have, &c.

(Signed) RAWSON W. RAWSON,
Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

No. 6.

Trinidad.

No. 6.

TRINIDAD.

Copy of a DESPATCH from Governor the Honourable ARTHUR GORDON to his Grace
the Duke of BUCKINGHAM AND CHANDOS.

(No. 105.)

MY LORD DUKE,

Trinidad, 22d August, 1867.

I HAVE been compelled to consider, very seriously, the measures which it may be necessary to adopt in consequence of the overcrowded condition of the Royal Gaol.

2. I enclose copies of several returns which have been made to me on this subject by the Superintendent of Prisons. The first shows the number of prisoners confined during the first quarter of each of the last seven years, the second shows the greatest number of prisoners confined at one time in each year during the same period.

3. These returns are in the highest degree unsatisfactory. The first shows a steady increase of prisoners from 207 in 1860 to 588 in 1867, the second shows an equally marked increase from 252 in 1860 to 513 on the 7th instant.

4. The gaol is very far too small to admit such numbers, but I am very reluctant to make any large addition to it, for various considerations. This great increase of prisoners is due almost exclusively to the offences of indentured immigrants against the laws which regulate their relations with their employers, and if from any cause the number of immigrants diminishes, or if, as I trust will be the case, the employment of free labour becomes more common, buildings which cannot be erected except at a very considerable cost would again become unnecessary, although requiring to be kept in repair at the public expense. Moreover, I greatly doubt the efficacy of imprisonment in Port-of-Spain as a punishment for this class of persons. They have for the most part absconded from agricultural employment. In gaol they are supplied with labour which is not agricultural, and which is lighter in its character and amount than that to which they are accustomed. In gaol too they are better fed and better housed, and are allowed a longer time for sleep than on the estates, whilst on their way to and from their work, and even whilst engaged in it, they are only too well able to communicate with those outside the prison.

5. It is much desired in many quarters that the punishment of such persons should consist in their being sent back to the estates to which they are indentured, there to work out the time of their sentence; but, although practically this plan would afford an escape from many difficulties, it is beset with objections which appear to me fatal to its adoption. If any individual immigrant by infraction of the law subjects himself to a fine or imprisonment with hard labour, that fine, or the labour which is in the place of a fine, is due to

the law, and not to the employer, and if the suggestion under consideration were adopted, not only would the anomaly present itself that the penalty of a fine would be paid to the law and the penalty of labour be paid to the employer, but the latter would be a penalty due to the law and made over by the law as a present to the employer. I think, therefore, that we must look elsewhere for a solution of the difficulty which has arisen.

6. Convicts are at present confined either at small licensed prisons where misdemeanants summarily sentenced to imprisonment for a period not exceeding fourteen days are confined, in the Royal Gaol of Port-of-Spain, or in the dépôt at Irois, where most of those on whom long sentences have been passed are employed in felling and hauling timber. The large timber within some miles of the dépôt having been now almost all cut down, the forest at Irois can only be worked with considerable difficulty and expense, and in 1864 the establishment was for this reason abandoned. It was reopened in the following year, rather in consequence of the pressure on the gaol and the difficulty of finding any other means of disposing of the prisoners than from any belief in the utility or remunerative character of the establishment itself.

7. I propose, with your Grace's sanction, to remove this establishment to a place situated in the Ward of Chaguanas, where an abundant supply of valuable timber is known to exist, in the immediate vicinity of a tramroad by which the timber would be conveyed to the sea, and where there is a stream of sufficient water power to permit of the conversion on the spot of the logs into squared timber or planks, a point which appears to me of great importance if it is desired that the undertaking should be remunerative to the Government.

8. The removal of the woodcutting dépôt would under any circumstances be expedient, but in itself, and as a mere measure of removal, it would of course afford no greater relief to the gaol than the existing establishment.

9. I propose therefore that the buildings abandoned at Irois should be devoted to the reception of misdemeanants summarily sentenced by the Stipendiary Justices for periods of from fourteen days to three months, and that such misdemeanants (more than nine tenths of whom will consist of immigrants) should be compelled to perform agricultural work, for which the locality is well suited. The cultivation thus maintained by them should supply the Royal Gaol and public Hospitals with vegetables, the purchase of which by the Government now involves a large annual expenditure.

10. The removal of the woodcutting dépôt to Chaguanas will involve a cost of about 250*l.*, and as it is not so urgently necessary that this should be carried out at once, I do not intend to take any step with respect to it until I have received your Grace's authority for so doing; but there is an immediate and imperative necessity for diminishing the numbers now crowded into the Royal Gaol, and as the expenditure involved in the necessary preparations at Irois will not exceed 100*l.*, I have at once commenced work there. The felons now at Irois will temporarily be removed to the Royal Gaol, and will be replaced by twice the number of misdemeanants as soon as the needful accommodation for their reception has been provided.

11. These measures (which are in themselves I think desirable) will have the effect of reducing the prisoners in the Royal Gaol to such a number as may safely be confined in the existing buildings without danger to health or detriment to proper discipline.

I have, &c.

(Signed) ARTHUR GORDON.

His Grace The Duke of Buckingham and Chandos,
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor the Honourable ARTHUR GORDON.

(No. 94.)

SIR,

Downing Street, November 3, 1867.

WITH reference to your despatch, 105* of the 22d of August, I have, with the concurrence of the Lords Commissioners of the Treasury, to convey to you my sanction for the expenditure of 350*l.* referred to by you in providing increased accommodation for prisoners; but I have to request that you will consider, whether the most effectual and beneficial way of relieving the overcrowded prisons would not be by rendering sentences of imprisonment with hard labour more formidable, and therefore more efficacious, than they now are for the prevention of offences.

I am fully aware of the importance of rendering penal labour in some degree remunerative, and, if possible, of making it the means of giving habits of hard work; but the first

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step is to make it an object of fear, and unless this is effectually done it is quite certain that the number of offenders will go on increasing, as it appears to have done since the treadmill was discontinued in 1860.

I have, &c.

(Signed)
Governor The Honourable A. H. Gordon,
&c. &c. &c.

BUCKINGHAM AND CHANDOS.

No. 7.
Barbados.

No. 7.

BARBADOS.

COPY of a DESPATCH from Governor WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 714.)

My Lord Duke,

Windward Islands, Barbados, March 23, 1868.

I HAVE had the honor to receive your Grace's circular Despatch of the 25th ultimo, in which you desire my attention to your previous instruction of the 18th of June last on the subject of Colonial prisons.

2. I can assure your Grace that I have been far from inattentive to the very valuable suggestions contained in the Digest which accompanied your Despatch.

Some of them referred to measures which had previously been pressed upon the attention of the legislature, and I felt grateful for the assistance and support which they were intended to give me in exposing and remedying the defects in our system of prison discipline.

3. But the slow process by which any reform or improvement requiring legislative action can be effected in this Island is most provoking. Not only is the Governor without a recognized organ in the House of Assembly, but there continues to exist the strongest jealousy of all measures proposed and designed by him for the improvement of the place or the people.

4. Let any such suggestion be urged, however forcibly, in a message from the executive, Members of Assembly recoil from moving upon it through a fear of the taunt, by no means unsparingly used amongst themselves, of acting under official dictation; and, strange to say, if the suggestion is suspected to have emanated from the Imperial Government there is sometimes even more indisposition to entertain it.

5. I had not been many days in possession of your Grace's instruction of the 18th June, when, on meeting the local legislature, I took the opportunity of drawing their attention to the expediency of enlarging the new prison at Glendairy.

6. "It would probably be advantageous to abolish the district prisons C and D, and to enlarge Glendairy prison, so as to accommodate all hard labour prisoners." Such was the inevitable conclusion drawn from the information sent home in answer to Mr. Cardwell's interrogatories. In it lies the essence of the chief prison reform to be accomplished in Barbados. It is impossible in this small place to establish a proper system of classification and discipline in these rural houses of correction; but it is quite possible to bring all prisoners, except such as are debtors, misdemeanants, or awaiting their trial, within the walls of Glendairy, and, at infinitely less cost than is now incurred, to subject them to one efficient and satisfactory management.

7. The plans which have been made for enlarging Glendairy are such as would afford the means of separately confining every prisoner in Barbados sentenced to hard labour.

8. I accordingly endeavoured to secure the early consideration of the legislature to the proposal, by reminding them that it was one which had not escaped their own attention, and by dwelling on the economy of the plan; but I regret to say that the matter was not even noticed in the reply of the House of Assembly. And to another message which I sent down in September last as a reminder I have received no answer.

9. Although, therefore, I have not been able to report much progress, I quite admit being without excuse for not acknowledging your Grace's instruction, and saying what I had endeavoured to do.

10. At the same time, so far as depends upon the authority of the executive, I have not been idle.

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I observe that Governor Walker concurs in the opinion expressed by the Governor of Glendairy, that it is not possible to shorten the hours during which the prisoners are locked up.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

No. 8.
Saint
Vincent.

No. 8.
ST. VINCENT.

COPY of a DESPATCH from Governor WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.
(No. 483.)

MY LORD DUKE,

Windward Islands,
Barbados, September 14, 1867.

WITH reference to your Grace's Circular Instruction of the 18th June last, relative to the discipline and treatment of prisoners in the colonies, I have the honour to forward a report which, in obedience to your Grace's commands, the Lieut.-Governor of St. Vincent has made on the subject.

I have, &c.
His Grace the Duke of Buckingham and Chandos, (Signed) JAS. WALKER.
&c. &c. &c.

(No. 358.)

SIR,

Government House, St. Vincent, September 7, 1867.

I HAVE the honour to acknowledge the receipt of your Excellency's Circular Despatch, No. 196, of the 20th July, enclosing one from the Secretary of State, relative to the discipline adopted in colonial prisons, together with a digest and report upon the state of the prison in this Colony, as gathered from the replies to certain interrogatories enclosed in Mr. Cardwell's Circular Despatch of the 16th July 1865.

2. In addition to its state of penal inefficiency generally adverted to in the report, the following points are specially noticed in connexion with the prison here,—

1st. That the Provost Marshal's powers of punishment are too large, and that he makes no report;

2d. That the hours of work for the convicts are too short, and that only six bushels of broken stone are exacted from male convicts; and

3d. A suggestion is made as to the possibility of dividing some of the larger wards into separate cells.

3. I took an early opportunity of consulting the Executive Council, with a view of amending the prison rules with reference to the two first objections raised in the report, and those rules have been amended to the following extent. The Provost Marshal's power of ordering solitary confinement has been reduced to fifteen days, and he is required to make a report in each case. The hours of work for the convicts have been extended from 6 a.m. to 5 p.m., and the quantity of broken stone to be exacted from male adults has been increased to eight bushels. With respect to the proposal of dividing some of the larger wards into separate cells, I am of opinion that the disadvantages of such an arrangement would more than counterbalance the benefit to be derived from the increased means of separation which it would afford, more particularly in a climate where a due regard to ventilation should be the primary consideration.

4. With respect to the concluding paragraph of his Grace's Circular Despatch, I have the honour to state that no alteration has been made in the condition of the prison since my last report. A vote of 500*l.* however was obtained at the commencement of the year, with a view of increasing the accommodation for female convicts, the want of which is, in my opinion, by far the most glaring defect in the prison arrangements here. A portion of this grant was also to be devoted to the construction of hospital lavatories. The absence of any provision in the shape of a colony engineer, or of a person qualified to superintend an undertaking of the description, was the sole reason for a delay in the commencement of the work, my intention having been to avail myself of the services of the officer of the Royal Engineer Department charged with the supervision of the repairs of the military buildings at Fort Charlotte. The unexpectedly large demand, however, upon the local resources, on account of the latter service, has caused me to hesitate as to the prudence of encroaching any further at present upon the public funds than was absolutely necessary for the support of the several institutions.

5. With respect to the feasibility of establishing a complete separate system here, or of adopting in their entirety the improvements recently introduced into the prison discipline of Great Britain, I regard the idea as perfectly hopeless. A new gaol would have to be built at a cost which I fear the Colony would be little able to bear, and a class of men employed as subordinate officers of the prison such as could not be obtained here except at considerably higher salaries. I have no doubt, however, that improvements may be made that will afford the means of a further classification, and to some extent of a separation of the different prisoners. I will make it my duty to bring the whole question at an early date before the Legislative Assembly as soon as the Act for altering the constitution of the Colony comes into operation, an attempt which I felt would have been abortive with the Legislature in its present state of transition, and its consequent unwillingness to meet for the consideration of any questions of a general nature.

Governor Walker, C.B.,
&c. &c.

I have, &c.
(Signed) GEORGE BERKELEY.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor WALKER.

(No. 30.)

SIR,

Downing Street, November 6, 1867.

I HAVE received your Despatch, No. 483*, with one from the Lieut.-Governor of St. Vincent on the subject of the discipline and treatment of prisoners, and I would desire to call your attention to certain points in the Digest and report on prison discipline, forwarded in my Circular Despatch of the 18th June last, to which Mr. Berkeley does not appear to have given sufficient consideration.

* Page 20.

What it is hoped to obtain from the Governors of Colonies is a close consideration of the principles adopted in this country on the subject of prison discipline and management, with the reasons and experience on which they have been founded, and then a strict examination, point by point, of the variations from those principles in the colonial prisons, with a report as to whether it is intended to abolish or reduce those variations, and if not intended, on what grounds the variations are vindicated or the correction of them deemed impracticable.

The Lieut.-Governor adverts specifically to three points only of those noticed in those portions of the Prison Digest in which the prison of St. Vincent is reported on. 1st. That the Provost Marshal's powers of punishment are too large, and that he makes no report, and the Lieut.-Governor states, in reference to this point, that the Provost Marshal's power of solitary confinement has been reduced to 15 days, and he is now required to report in each case. But at p. 80 of the Prison Digest (Note XI. on prison punishments), it is laid down that "no Governor (of a prison) or a Provost Marshal, in case of an ordinary prison, should have power to order solitary confinement for more than three days at a time, nor for more than one week in a month." Mr. Berkeley should have reported his reasons for fixing upon fifteen instead of three days. 2d. In page 53 of the Digest and Report, it is stated that "there is no strictly penal labour, and the hours of work are too short." The Lieut.-Governor reports "that the hours of work for the convicts have been extended from 6 a.m. to 5 p.m., and the quantity of stone broken has been increased from six to eight bushels." Eleven hours of work are not of course exacted without one or more intermissions for meals or rest, and the hours of actual work not being stated, the statement does not convey what is intended to be shown. But a more important defect in the Lieut.-Governor's report under this head is his total silence as to the use of the treadmill or crank. At page 70 of the Digest the opinion of the Committee of the House of Lords on these instruments for enforcing penal labour is strongly expressed, and in that and the following pages of their lordships report, with the notes made upon them referring to colonial as well as home experience, divers other modes of employing convicts and the objections to them when not preceded by the strictly penal labour of the treadmill, crank, or shot-drill, are carefully examined and considered. The whole subject, however, seems to have escaped the attention of Lieut.-Governor Berkeley. On the question of separation it is stated in the Digest (page 53) that "convicts and untried prisoners, criminals and debtors, juveniles and adults, lunatics and sane men, are all associated," that "from the construction of the building individual separation is impossible, but classification might be carried further," and that "it would seem that some at least of the large wards of this prison might be divided into separate cells." The Lieut.-Governor expresses his dissent, but his treatment of the subject is not full or explicit. All that he says is, "I am of opinion that the disadvantage of such an arrangement would more than counterbalance the benefit to be derived from the increased means of separation which it would afford, more particularly in a climate

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“ where a due regard to ventilation should be the primary consideration.” Mr. Berkeley may be right in his opinion, but I would observe that one reform will often facilitate another. If penal labour shall be made efficacious, convictions and re-convictions will be fewer, prisoners less numerous, and space less scanty. Nor is it necessary that ventilation beyond a certain point should be made the “primary” consideration in a prison, or that the cubic feet per head should be the same in a prison as in a hospital, where health and comfort are justly the primary consideration. The health of the prisoners should of course be fairly considered, but prison discipline and penal efficacy should not be needlessly sacrificed. It would be desirable to know how many cubic feet per head could be allowed for prisoners consistently with such a division of some of the wards as would admit of the separation of criminals from debtors, and juveniles from adults. . . .

No notice is taken by Lieut.-Governor Berkeley of the statement (page 53 of the Digest) that “the drainage (of the prison) consists of two open gutters.”

I have, &c.

Governor Walker, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 9.
Grenada.

No. 9.

GRENADA.

COPY of a DESPATCH from GOVERNOR WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 431.)

Windward Islands, Barbados,
August 15, 1867.

MY LORD DUKE,

WITH reference to your Grace's Circular Despatch of the 18th of June last, relative to the state of prison discipline in the Colonies, I have the honour to submit to your Grace a Despatch from the Administrator of Grenada, in which he reports the limited improvements in the prisons of that Island which he has been able to effect since the date of Mr. Cardwell's instruction in 1865.

I have, &c.

His Grace The Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed) JAS. WALKER.

(No. 88.)

SIR,

Government House, Grenada, August 8, 1867.

I HAVE the honour, with reference to the Circular Despatch from his Grace the Secretary of State relative to the condition of Colonial Prisons, to report as follows in regard to the Grenada gaol and police lock-ups.

Improvements since 1865.

A wing of two stories has lately been added to the common gaol. This building, which contains eight excellent and well ventilated cells of about 1,000 cubic feet each, has been arranged so as not to interfere with the plan proposed in 1865 for the adoption of the separate system in the Grenada prison.

This increased accommodation has enabled the Provost-Marshall to make a better classification of the prisoners.

Convicted felons are kept separate during the night from prisoners committed by the magistrates for petty offences.

With regard to the police lock-ups, the only improvement that I am enabled to report is an arrangement made by the Inspector of Police by which female prisoners are now attended by female officers.

Improvements in progress or in contemplation.

It is proposed to convert certain lands adjoining to the gaol known as the Commissariat Stables into an additional yard for air and exercise, as the new building has encroached very considerably on the space formerly allotted for that purpose.

No material improvement in the discipline can be effected whilst the prison continues in its present discreditable condition. The scheme proposed in 1865 for the reconstruction of the gaol, which was

approved by the Assembly, who pledged themselves to raise 2,400*l.* for that purpose, has fallen to the ground, in consequence of that pledge having been subsequently repudiated by the House.

The improvements which I have been enabled to effect in the arrangement of the prison and in the classification of the prisoners, with the limited means placed at my disposal, will not, I trust, be held to be wholly unimportant.

Governor Walker, C.B.,
&c. &c.

I have, &c.
(Signed) EDWIN D. BAYNES.

COPY of a DESPATCH from Governor WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 447.)

MY LORD DUKE,

Windward Islands, Barbados, September 30, 1867.

WITH reference to my Despatch, No. 431*, of the 15th of August last, enclosing * Page 22.
a report from the Administrator of the Grenada Government, respecting the state of the prison in that Island, I have now the honour to submit to your Grace a further Despatch from the Administrator, with a letter from the Provost-Marshall, describing his efforts to improve the sanitary condition of the gaol.

2. I join with the Administrator in bearing testimony, which I can do from my own personal observation, to the intelligence and efficiency with which the Provost-Marshall in Grenada performs his duties.

I have, &c.
(Signed) JAS. WALKER.
His Grace The Duke of Buckingham and Chandos, &c. &c. &c.

(No. 113.)

SIR,

Government House, Grenada, September 23, 1867.

I HAVE the honor, with further reference to the Secretary of State's Circular Despatch on the subject of Colonial Prisons, to transmit to your Excellency a communication from Mr. Henry Sharpe, the Provost-Marshall of this Colony, in which he reports that the dry-earth system of sewerage has been successfully introduced by him into the Grenada Gaol.

2. Mr. Sharpe also supplies some additional information upon the labour scale, and upon the hours allowed the prisoners for sleep.

3. My frequent inspections of the gaol enable me to bear my testimony as to the interest manifested by Mr. Sharpe on all matters connected with prison discipline, and the sanitary improvement of the gaol. He is in every respect an able, intelligent, and highly efficient public officer.

I have, &c.
(Signed) EDWIN D. BAYNES.
Governor Walker, C.B.,
&c. &c.

SIR,

Marshal's Office, Grenada, 21st September 1867.

IN accordance with the instructions of his honour the Administrator of the Government, contained in your letter to me of the 12th ultimo, I have now the honour to make the following report on the several subjects to which my attention has been drawn in the Blue Book on Prison Discipline which accompanied your letter.

I thought it advisable, before sending my reply, to make a trial of the dry-earth system of sewerage. The late rainy weather has, however, operated against this being done sooner, owing to the difficulty experienced in properly drying the earth. This circumstance will I trust explain the cause of my delay in forwarding an answer to your communication.

Dry-earth system of sewerage.

After a trial of this system in one of the wards, in accordance with the instructions laid down in Appendix D. in the Blue Book, I am enabled to state that the system can be adopted with the greatest possible advantage to the Grenada prison, and its introduction may be looked upon as a measure calculated to be of the highest value in the promotion of cleanliness and all other sanitary measures.

In an associated ward containing at times 12 to 15 men during the night, it can be readily imagined the obnoxious effluvia that must proceed from the night vessels as well during the night as when removed in the morning. By the use of dry earth this nuisance is remedied, and no effluvia can be detected. The very tubs used for the reception of the excreta exhibit no indications of their being used for such a purpose, so thoroughly are they cleansed and purified by the use of earth, a desideratum not obtained hitherto with the free use of lime and water.

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The experiment made has reference to that part of the Appendix under the head of Night Privies. The success, however, attending this fully warrants me in stating that latrines erected on the same principle will be of equal advantage as the earth vessels. Obstacles will no doubt present themselves at first against the system being satisfactorily worked in the prison. Time and perseverance will be required to initiate the prisoners, composed of the class they are, into the system, and to force upon them the necessity of following out the instructions. This is the only difficulty I anticipate, but one that time and custom will overcome.

From the trial made there can be no doubt of the superiority of earth as a deodorizer over anything else. Another benefit from the introduction of the system I feel sanguine will accrue to the prison, as when it becomes more generally known, besides being adopted in the public institutions, private parties will doubtless take it up, and thus a demand will be created for the supply of dry earth, which can be prepared in the gaol, and sold at a moderate cost, thus affording a source of revenue to the gaol, and employment for those who are either not sentenced to or are unable to perform hard labour.

As the expense will be trifling, I propose, with the approval of his honour the Administrator, to adopt the system at once with regard to night vessels for the cells and wards, and I trust that I shall shortly be in a position to erect latrines on the same principle. The gaol being situated in the town, and having no land attached to it, the contents of the night privies and latrines cannot be disposed of in the manner laid down in the Appendix. They must, as now, be thrown into the sea, valuable as the compost will be as a manure, unless any estate in the vicinity of the town will be disposed to take it, which I doubt, owing to the difficulty of cartage in the town.

Hours allowed for labour and sleep.

I note the remarks made in the Blue Book upon the subject. The prisoners are turned up every morning throughout the year at 6 o'clock, and are expected to prepare themselves, after doing what is necessary to their wards and cells, in time to take up their work at 6.30.

One hour is allowed for breakfast, and at 5 p.m. they leave off work. Dinner is then served out. By the time this is completed, and they have washed themselves and shifted their clothing, sunset comes on, when they are locked up for the night. In this country we have no twilight; darkness sets in at sunset. The earliest period at which the sun rises in the year is 5.37, the latest 6.23; and at which it sets the earliest at 5.37, the latest 6.23; thus showing that 40 minutes is the greatest difference between the respective periods of sunrise and those of sunset in the year. It will therefore be seen that for one portion of the year there are barely 12 hours of daylight, nine hours of which the prisoners are at work, the remaining three allowed for breakfast, dinner, cleaning themselves and their cells, and washing clothes; and that only for four months in the year could the hours of labour, without prejudice to cleanliness and the discipline of the gaol, be increased, when during the longest days the work might commence at 6 a.m. and finish at 5.30.

The period apparently allowed for sleep is from force of circumstances.

No lights are allowed in the prison, and therefore when the prisoners are locked up at sunset they have nothing else to do, till turned out in the morning, but sleep. Thus it would seem that this space of time is actually allowed for sleep, and naturally would be excessive. Two hours of the time might be most profitably employed in instruction to the prisoners; but in the present state of the gaol a measure of the sort could not be adopted with due regard to the security of the prisoners and the safety of the prison in the use of lights.

Labour scale.

My experience leads me to think that in those Islands where 12 to 14 bushels of stone are broken that the material must be of a very soft or brittle nature. The rules of the gaol of this Island order that every adult prisoner sentenced to hard labour shall break, of a size to pass through a ring $1\frac{1}{2}$ inches in diameter, three bushels of hard flint stone.

This task is as much as a man can do in the nine hours; indeed at the commencement of the sentence few accomplish it, in spite of the stoppage of their evening meal, as directed by the rules. The first part of the process of stone breaking in the gaol is with the sledge hammer, so as to break up the large stone in pieces capable of being broken by the smaller hammer. This is generally the hardest work; for I have witnessed the efforts of powerful men, after dealing blow after blow for an hour upon a hard stone with a heavy sledge hammer, result in a few handfuls of stone fit for the use of the hand hammer. Under these circumstances taking into consideration the quality of stone generally in this Island, I do not think that I should be justified in fixing the minimum quantity at a higher rate than four bushels of the ordinary stone.

I have, &c.

(Signed) HENRY SHARPE,
Provost Marshal.

Samuel Mitchell, Esq., Colonial Secretary,
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor WALKER, C.B.

(No. 55.)

SIR,

Downing Street, December 31, 1867.

I HAVE had under my consideration your Despatches, Grenada, Nos. 431 and 447*, of the 15th August and 30th September, in answer to my Circular Despatch of the

18th June, with reports from Mr. Baynes, showing the limited improvements he had been able to effect in the prison of the Colony since the date of the replies to interrogatories on prisons in 1865.

The separate system, and the system of enforcing penal labour by such labour as the treadmill, the crank or shot drill, are the two points of prison discipline which recent investigations are considered to have shown to be chiefly essential to the efficacy of imprisonment with hard labour.

It appears that in Grenada, although a wing of two stories has been added to the gaol, it is still a discredit to the Colony, owing to the failure of the Assembly to fulfil a pledge given by them in 1865 to apply a sum of 2,400*l.* to its reconstruction, and the addition of the wing has only afforded means for some better classification, the establishment of the separate system of imprisonment being still impracticable.

It appears also that the enforcement of labour by the treadmill, or the crank or by shot-drill, is still out of use; and this I think requires some further explanation. I willingly give credit to Mr. Sharpe, the Provost Marshal, for the intelligence and efficiency ascribed to him by Mr. Baynes and by you, and he may very possibly be right in his estimate of the amount of labour imposed by the existing scale of industrial labour; but an attentive examination of the report of the Lords' Committee of 1863, and of the evidence on which it is founded, will show that industrial labour, though perhaps hard of its kind, is not to be regarded as the equivalent of labour by the treadmill, or crank or shot-drill, which alone is designated as strictly and distinctively penal labour, inasmuch as it is shown by experience to have a peculiar penal efficacy, not attributable to any industrial labour, however severe.

The allowance of 12 hours for sleep is represented as inevitable in the present state of the gaol, because as there is no twilight, and darkness prevails from about 6 p.m. to about 6 a.m., and as there are no facilities for employing any of these hours in instruction, and the use of lights cannot be safely permitted, the prisoners during these 12 hours have nothing to do but to sleep. It is not explained why, in the gaol of Grenada, as in other gaols, the wards or cells cannot be lighted by night with lights so placed as to be out of reach and to occasion no danger, and it is manifestly a practice of a most pernicious tendency to lock up a number of prisoners in the dark together for a greater number of hours than they can reasonably be expected to pass in sleep.

I attribute no blame to Mr. Baynes, who appears to have been desirous to do all in his power for the improvement of the prison and the lock-up houses, and to have been zealously seconded by Mr. Sharpe, the Provost Marshal; but I am of opinion that the existing defects should be again and more distinctly brought to the notice of the Legislature, in order that the responsibility for any continued neglect may not rest with the Government.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Walker, C.B.,
&c. &c. &c.

(Signed)

COPY of a DESPATCH from Governor WALKER to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 487.)

MY LORD DUKE,

Barbados, April 14, 1868.

WITH reference to your Grace's instruction, No. 55*, of the 31st of December last, relative to the state of the gaol in Grenada, and the efficacy of the penal discipline enforced within it, I have the honour to transmit a Despatch from the Lieutenant Governor of the Island, with a further report from the Provost Marshal, whose attention had been called to your Grace's observations on the subject.

* Page 24.

I have, &c.
(Signed) JAS. WALKER.

The Duke of Buckingham and Chandos.
&c. &c. &c.

(No. 28.)

SIR, Government House, Grenada, April 3, 1868.

YOUR Excellency's Despatch of the 24th January last, transmitting copy of a further Despatch from the Secretary of State, relative to the prison discipline of this Colony, in which the Duke of Buckingham requests further information as to the non-employment of the tread wheel, or the crank or shot drill, in the hard-labour system of the prison, and also as to the non-lighting of the prison after dark, I beg now to acknowledge the receipt of.

I directed copy of the Secretary of State's Despatch to be at once sent to Mr. Sharpe, the Provost Marshal. His report, copy of which is now transmitted, fully explains his views on the employment of the tread wheel and lighting the prison at night.

At the last meeting of the House of Assembly I again drew their attention to the state of the prison, and to their failure in fulfilling their pledge to apply a sum of 2,400*l.* to its reconstruction. The House of Assembly have not as yet even considered any of the messages that I caused to be placed before them; but I trust that on re-assembling in May some answer may be returned.

Until the means are provided for the reconstruction and enlargement of the prison, the provision of a sufficient number of cells for the enforcement of the separate system, the erection of a treadwheel, and the enlargement of the yards of the gaol, I consider that it will be perfectly impossible to carry out prison discipline and penal labour as recommended in the report of the Lords Committee of 1863. I also consider that the lighting the cells or wards, which could only be done effectually with paraffine lamps, would, in the present decayed state of the timbers and flooring, be a most dangerous experiment.

Governor Walker, C.B.
&c. &c. &c.I have, &c.
(Signed) ROBT. M. MUNDY.

SIR,

Marshal's Office, March 23, 1868.

I HAVE the honour to acknowledge the receipt of your communication of 7th instant, forwarding to me, by direction of his Excellency the Lieutenant-Governor, copy of a Despatch from the Secretary of State on the state of the prison of this Island, for the purpose of my offering any explanation I may desire on the subject.

The paragraphs in this Despatch to which I conclude my attention is directed are those relative to the enforcement of labour by the treadwheel, crank and shot drill, and the practicability of the use of lights in the prison.

With reference to the first of these subjects, I have to state that I find the treadwheel was in use in this Island for some years previous to 1849, but was discontinued owing to the labour upon it being found too severe for the class of prisoners who were subjected to it, especially in a climate of this nature. The crank was never in use, but shot drill was introduced in 1866 as a punishment for prison offences, and has, I think, had a salutary effect.

The adoption of these instruments as a general mode of enforcing penal labour in the manner recommended in the report of the Lords Committee of 1863 could not, I am of opinion, be brought about in this Island with a due regard to humanity; the climate is against it, and the class of men of which our prisoners as a rule are composed of have not the physical powers necessary to undergo it for any lengthened periods. I nevertheless think that punishment in this form could be advantageously applied to that class of prisoners who are frequently committed to gaol on short sentences from the magistrates' courts, especially in the town, for wanton and repeated breaches of the peace arising from idleness, drunkenness, and profligacy generally, and it also could be used for breaches of prison discipline. For these purposes, and for them only, I am of opinion that the treadmill or crank might be introduced into the Grenada prison, under the same precautions as the introduction of shot drill has recently been sanctioned by the Home Government. I certainly find this mode of punishment more distasteful to the prisoners than any we have hitherto had, and judging from their appearance while undergoing it, the work must be severe, due discretion being used in enforcing the proper number of paces to be marched per hour.

In reference to the use of lights, I am fully alive to the pernicious effects that must accrue from the practice of locking up a number of prisoners in one ward for so many hours in the dark, but this is the consequence of the ill construction and dilapidated state of the prison. The wards are too low to allow a light to be so placed within them as to be out of reach, and the casings and floors are in such a state of decay that the slightest carelessness or accident with the light will endanger the safety of the prison. An arrangement might be made to throw a light into some two or three of the wards from the outside, by cutting a window through the walls into the passage, in which a lamp might be placed with safety; but this will be a very partial remedy for the evil complained of. Very few of the prisoners can read; and without some occupation the majority of them would still pass the time in sleep. The remedy lies in the erection of a suitable apartment in which the prisoners could be assembled for a portion of the time now spent in sleep, and some instruction imparted to them, and the opportunity afforded those who may have a little education of keeping it up, and of generally improving their minds. There is, I fear, little hope for any improvement under this head until a reconstruction of the prison is brought about; and I may add, that until that does take place, that most important of all systems, the separate system, cannot be carried out in the Grenada prison.

I have, &c.

Samuel Mitchell, Esq., Colonial Secretary,
&c. &c. &c.HENRY SHARPE,
Provost Marshal.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to the Officer administering the Government of the Windward Islands.

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(No. 96.)

SIR, Downing Street, December 5, 1868.

I HAVE received your Despatch No. 487*, of the 14th of April, with one from the Lieutenant Governor of Grenada, enclosing a report from the Provost Marshal in reply to my Despatch No. 55, of the 31st of December, on the discipline of the gaol. * Page 25.

Mr. Sharpe writes thus: "The adoption of these instruments as a general mode of enforcing penal labour in the manner recommended in the report of the Lords Committee of 1863 could not, I am of opinion, be brought about in this Island with a due regard to humanity. The climate is against it, and the class of men of which our prisoners as a rule are composed have not the physical powers necessary to undergo it for any lengthened periods."

If such opinions as these were founded upon practical knowledge of results closely observed, and tested by medical statistics, they would be entitled to be considered along with the results of other experience in like manner tested and ascertained. But Mr. Sharpe speaks of that of which he has no personal knowledge. Mr. Sharpe's appointment to be Provost Marshal dates only from 1855, and the use of the treadmill was discontinued in 1849. It was precisely with a view to supersede opinions unavoidably crude and conjectural that the results of experience carefully collected and methodically examined were communicated to the Governors of Colonies in the Prison Discipline Digest of January 1867. At page 69 of that document you will find what are the bearings of the evidence and experience obtained as to the applicability of strictly penal labour to races and climates other than European. If the treadmill was used in Trinidad for negroes as well as white men from 1847 to 1860, and "not a single injury or ill effect in any way followed its use," the opinion of Mr. Sharpe, that it cannot be properly employed in Grenada "as a general mode of enforcing penal labour," should not be allowed to prevail. Such opinions are often, perhaps, founded upon the reports of gaolers and the inferior officers of prisons, who are indisposed to the use of methods of enforcing labour by which their own duties are made more irksome and onerous. Mr. Sharpe, however, admits that punishment by treadmill and crank, as well as shot-drill, may be used for certain classes of prisoners and for short sentences. And, on the other hand, the affirmation in the Digest that "the same punishments have generally similar effects in all countries and on all races," is guarded by the words, "subject to some modifications of quantity or duration which are required by weaker frames and enervating climates." What these modifications should amount to ought to be not assumed conjecturally, but determined by experiment, and the infliction should stop short where injury to health is reported to accrue (on medical authority), or when there is excessive loss of weight.

I request you to resume the subject of prison discipline in Grenada, with reference to these remarks; and if the treadmill cannot be conveniently employed, I recommend you to give directions that every prisoner sentenced to hard labour shall, unless exempted by medical authority, be put to shot-drill daily for not less than one month at a time (unless sentenced for a shorter term), and for not less than six hours per day. And if no injury to health should be found to result, the period should be increased until it reaches the minimum term recommended by the Lords Committee, *i.e.* six months. If at the end of the first month or earlier the medical attendant of the prison should certify that there are grounds for thinking that injury is arising to health, an intermission of strictly penal labour should be granted by exchanging it for industrial labour; but the term of intermission should not be needlessly prolonged.

Mr. Sharpe explains that the only safe way of lighting the wards will be by throwing a light into them through a window from a lamp in the passage. This way of lighting will be sufficient for the object I have in view; and you will issue directions giving effect to my wishes.

I am strongly of opinion that if a number of depraved men are locked up together for so many as twelve hours, it should not be in the dark, or without occasional inspection, and a constant liability to it.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

The Officer administering the Government
of the Windward Islands.
&c. &c.

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INDIES.
No. 10.
Tobago.

No. 10.

TOBAGO.

COPY of a DESPATCH from the OFFICER Administering the Government
to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 309.)

MY LORD DUKE,

Barbados, May 27, 1868.

ADVERTING to your Grace's Circular Despatches of 18th June 1867 and 25th February last on the subject of Colonial Prisons, I have now the honour to transmit to you a Despatch from the Lieutenant Governor of Tobago, reporting the improvements to the prison in that island, which had been proposed, but which he had not yet been able to effect.

I have, &c.,
(Signed) FRANCIS GODING.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(No. 35.)

SIR,

Government House, Tobago, May 22, 1868.

WITH reference to your Excellency's Despatch, No. 232, of the 21st March, covering a Circular Despatch from the Secretary of State, requiring a reply to his Grace's Circular Despatch of the 18th June last, on the subject of Colonial Prisons, I have the honour to inform you that immediately after the receipt of Mr. Cardwell's Despatch of the 16th January 1865 I brought the subject of it to the notice of the House of Assembly, and the House requested me to furnish them with an estimate of the cost of making such additions to the gaol as would suffice to carry out the separate system. I consequently directed Mr. McEachnie, the colonial engineer, to prepare a plan with estimate for the erection of additional cells. Mr. McEachnie sent in three estimates, ranging from 350*l.* to 428*l.* They were not ready to be submitted to the House of Assembly during the March session of 1865; but on the 26th October of the same year, the legislature being again in session, I transmitted the plan and estimates with a message, a copy of which I have the honour to enclose, together with a copy of the reply of the House.

Nothing further was done by the House in the matter. I believe they were alarmed at the expense, which would probably have far exceeded the estimated cost.

Lavatories are in course of erection, but it would be injustice to the prison authorities to omit to state that the personal cleanliness of the prisoners has hitherto been strictly attended to, there being two baths and a plentiful supply of water in the gaol.

I reported to your Excellency, in my Despatch, No. 18, of the 18th February last, that preparations were being made for the introduction of the dry earth system in the latrines.

These are the only steps that have been taken since Mr. Cardwell's Despatch to remedy the defective system in operation in the common gaol of Scarborough, and that more has not been done is owing to the circumscribed means of the colony.

I observe in the Digest and Report that the hours of sleep allowed to the prisoners are considered excessive, and the hours of labour too short. This may easily be remedied.

Governor Walker, C.B.,
&c. &c.

I have, &c.,
(Signed) C. H. KORTRIGHT.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to the OFFICER Administering the Government of the Windward Islands.

(No. 45.)

SIR,

Downing Street, July 28, 1868.

I HAVE received your Despatch, No. 309*, of the 27th of May, with one from the Lieutenant Governor of Tobago, reporting that the Legislative Assembly had not voted the sums necessary to effect such an increase in the accommodation of the gaol as would admit of the individual separation of prisoners. I observe it stated at page 53 of the Digest on Colonial Prisons that there is no strictly penal labour in the gaol of Tobago. You will inform the Officer Administering the Government, that, unless he is aware of some reason to the contrary, he would do well to direct that all prisoners sentenced to hard labour should be kept to strictly penal labour for some fixed period after their conviction, say for two months, if their sentences are for so long.

From the language of the last paragraph of Mr. Kortright's Despatch now under

* Above.

acknowledgment, I am led to expect that an increase in the number of hours of labour and a decrease in the number of hours allowed for sleep will shortly be reported.

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I have, &c.,

(Signed) BUCKINGHAM AND CHANDOS.

To the Officer administering the Government
of the Windward Islands.

No. 11.

ST. LUCIA.

No. 11.
St. Lucia.

COPY of a DESPATCH from Governor WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 391.)

Windward Islands, Barbados,

August 13, 1867.

MY LORD DUKE,

REFERRING to your Grace's Circular Despatch of the 18th of June last, respecting the state of the Colonial Prisons, I have the honour to forward herewith a Despatch from the Administrator of St. Lucia, in which he assures me that your Grace's injunctions so far as they relate to that island will not be lost sight of.

2. In the summary which accompanied your Grace's Circular attention is drawn to the case of a debtor who had been imprisoned for two years and seven months for a small sum of money, and who is alleged to have been thrown into gaol from vindictive motives. I have called upon the local law officers to furnish a complete report of the present state of the law for imprisonment for debt, with the view of considering if any and what alterations should be made in it.

I have, &c.

(Signed) JAS. WALKER.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(No. 115.)

SIR,

Government Office, St. Lucia, August 5, 1867.

I HAVE the honour to acknowledge the receipt of your Excellency's Circular Despatch of the 20th ultimo, No. 186, transmitting a Circular Despatch from the Secretary of State relative to the discipline adopted in colonial prisons, together with the copies of the valuable digest and report, and Prisons Act, 1865, which accompanied it.

2. The short time that I am likely to be in the administration of the Government will prevent me from giving this important subject the consideration it deserves, and which I should desire to devote to it; but I am confident that Mr. Grant, who is expected to arrive here shortly, will on his return give it his early and serious attention.

3. I may state, however, that one step of a reformatory character has been taken towards the desired end. I allude to the amended gaol rules passed by the Governor in Council on the 14th of August 1865, and forwarded to his Excellency Major Mundy, then administering the general Government, in Mr. Grant's Despatch of the 10th, following No. 115, by which a system of rewards for good conduct was established; and which, as far as I have been able to judge, has worked well.

4. If more has not been done towards carrying out the wishes of Her Majesty's Government for placing the prison in this Colony on a better footing, it is solely to be attributed to a cause, which, in addressing your Excellency, it is hardly necessary for me to dwell much upon. No one knows better than yourself how unable the Colony has been, on account of the financial embarrassment under which it has been labouring for some time past, to undertake any public work requiring even a small outlay of money. At the very time of the receipt of Mr. Cardwell's Despatch of the 16th January 1865 the finances of the Colony were in such a depressed state that it became necessary to obtain a loan to meet a deficiency, and to increase taxation to cover current expenses. The necessity for this measure it was hoped would only have been temporary; but unhappily that hope proved fallacious, and at the commencement of the following year we were obliged to increase taxation still further, and we have been compelled to continue the taxes and duties at the increased rates ever since, and yet, notwithstanding, the revenue raised has been found barely sufficient to meet the ordinary expenditure. If then little has been done, it is not because the will was wanting to do what was required, but simply the means of doing it.

I have, &c.

(Signed) MACNAMARA DIX.

Governor Walker, C.B.,
&c. &c. &c.

WEST
INDIES.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor WALKER, C.B.

(No. 38.)

SIR, Downing Street, January 17, 1868.

* Page 29.

I HAVE had under my consideration your Despatch, St. Lucia, No. 391*, of the 13th August last, in reply to my Circular Despatch of the 18th June last, on Prison Discipline.

Mr. Dix, then administering the government of St. Lucia in the absence of Mr. Grant, expressed his confidence that Mr. Grant, on his approaching resumption of his duties, would give his serious attention to the subject of prison discipline. Since the dates of your Despatch and of that from Mr. Dix enclosed in it a correspondence has taken place relating chiefly to an increase in the establishment of the prison at Castries, by which it was hoped that its discipline might be improved.

Mr. Grant, on giving his attention to the Digest and report accompanying my Despatch of the 18th June last, will not have failed to perceive that the two points of discipline most insisted on in this country are, 1. Separation, and 2. Strictly penal labour, meaning thereby labour enforced by the treadmill or the crank, or by shot-drill, during the earlier stages of imprisonment.

Want of money to enlarge the gaol may make the first only partially practicable for the present, and the want of an additional turnkey may till lately have been an obstacle to the employment of the treadmill, or the crank or shot-drill. But an additional turnkey having now been provided, I trust Mr. Grant will be enabled to report shortly that the penal system of the prison has been reformed in this point. If punishment be made effective so that recommitments shall be few, and there shall be fewer offenders to be provided for in prison, the Colonial finances will be spared rather than burdened in the end, whilst the public revenue, as well as the industrial prosperity of the Colony, will gain by the increased security to property.

The suggestions of the Provost Marshal, recapitulated at p. 53 of the Digest, point to improvements, not in themselves unimportant, which may probably be practicable even in the prison as it is at present.

I have, &c.

Governor Walker, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

COPY of a DESPATCH from Governor WALKER, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 442.)

MY LORD DUKE,

Windward Islands, Barbados, April 14, 1868.

* Above.

WITH reference to your Grace's instruction, No. 38*, of the 17th January last, respecting the discipline in Castries Prison, I have the honour to submit a further Despatch from the Administrator of St. Lucia on the subject.

2. I have instructed the Administrator to propose to his council at once to abolish the long interval of rest which has been hitherto allowed to the prisoners in the middle of the day.

I have, &c.

(Signed) JAMES WALKER.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

SIR,

Government Office, St. Lucia, April 8, 1868.

REFERRING to the Secretary of State's Despatch enclosed in your Excellency's Despatch, No. 989, dated the 21st February last, I have now the honour to report for his Grace's information that "shot drill" has been established experimentally in the Castries Gaol under the following regulations. All prisoners sentenced to hard labour are for the first three months of their imprisonment exercised at "shot drill" for one hour and a half in the morning and one hour in the afternoon. During the remainder of their hours of labour they are employed in breaking stones in the gaol yard.

In effect for the first three months (or if under a lesser sentence for the whole term of imprisonment) the prisoners are worked entirely within the precincts of the gaol.

For the next three months the prisoners have the same hours of "shot drill" but are, during the rest of their time, employed as heretofore on various public works outside the gaol such as working

the harbour dredge, repairing roads, carrying materials for the repairs of public buildings, clearing the Morne, &c.

For the next six months they have only the morning drill, with the employment above mentioned, and after that period has elapsed this exercise will only be resorted to by way of punishment.

2. I think the system will work well, but as yet it has been so short a time in operation that it cannot be judged of from its results. I believe it will have a decidedly deterrent effect.

3. The suggestions made by the Provost Marshal at page 53 of the Digest on Prison Discipline had not escaped my attention, but, situated as we are, I am afraid that the scheme which he proposes, namely, to employ one class of prisoners as "a peregrinatory road gang" for the repairs of the roads "of those parts of the Colony which are now never or seldom reached by reason of their remoteness from centres of population or topographical difficulties," would not be found very practicable. If it was intended to throw upon the road fund the expense of this plan, which would be considerable, then I am sure the Board of Roads and Bridges would object to the cost, for they could get the work done much cheaper by hired labour; and if the Colony was to undertake it, I do not think the good to be gained would be adequate to the expenditure involved. I enclose copy of a letter which I addressed to the Marshal on the subject, and of his reply, which will show your Excellency that, upon mature reflection, and when the details of the plan come to be considered, he finds that there are practical difficulties which militate against its adoption.

4. The prisoners are now frequently worked on the roads in the neighbourhood of the gaol, which entails no extra expense.

5. The "ticket of leave" system requires a good deal of consideration, and I would be obliged by your Excellency's causing me to be furnished with such information upon its working in Barbados as you may judge will be useful to me.

6. I have for some time been of opinion that the prison rule to which the Marshal refers ought to be amended, and I have only been waiting to see, before recommending this, whether the rules should not be amended in other particulars. I enclose a copy of it for your information, and will, if you think proper, submit an amended rule, making the interval of rest shorter, to the Executive Council.

I have, &c.

(Signed) J. M. GRANT,
Administrator.

Governor Walker, C.B.,
&c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
the Officer administering the Government of the WINDWARD ISLANDS.

(No. 58.)

SIR,

Downing Street, June 20, 1868.

I HAVE received Governor Walker's Despatch No. 442*, of the 14th of April, with one from the Administrator of St. Lucia, respecting the Royal Gaol of Castries.

* Page 30.

I am gratified to learn that the Administrator has introduced shot drill as part of the punishment of prisoners sentenced to hard labour in the earlier stages of imprisonment.

If the Administrator does not find that the rules which he has now adopted have a very decided effect, it will only remain for him to increase the element of shot drill in the course of labour.

I observe at page 22 of the Digest and Summary on Colonial Prisons that the diet in the gaol at Castries is stated to be considerably higher than the scale in some other West Indian gaols. I regret that the Administrator has not as yet reported a reduction in this excessive scale.

I am informed that in the gaol of Antigua, where, as the Administrator observes, the scale is not so high as the scale of St. Lucia, there is a marked and rapid improvement in the prisoners condition after their committal.

The food of a prisoner should be as little as will serve to keep him free from sickness, both because as little money as possible should be spent on such a person, and also because privation in diet will be regarded by a criminal as a highly deterrent element of a sentence of imprisonment. I desire, therefore, that the Administrator should frame a graduated scale of dietary, the lower scales for those recently committed and the higher ones for those in the later stages of imprisonment.

The Administrator will find all necessary information on this subject at pp. 23, 73, and 91 of the Digest and Summary.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

The Officer administering the
Government of the Windward Islands.

COPY of a DESPATCH from Lieutenant-Governor MUNDY to his Grace the Duke of
BUCKINGHAM AND CHANDOS.
(No. 478.)

MY LORD DUKE,

Barbados, September 5, 1868.

* Page 31.

ADVERTING to your Grace's Despatch, No. 58*, of the 20th June, I have the honour to transmit a Despatch from the Administrator of St. Lucia, pointing out that the dietary scale now in use in the Royal Gaol is one that was passed in August 1865, and forwarded to Mr. Cardwell in my Despatch, No. 279, of the 5th September of that year.

2. The original prison regulations as to diet, as well as the alterations and additions of 1865, are forwarded herein, and I have advised the Administrator to await your Grace's consideration of the latter before proceeding to amend them.

I have, &c.

(Signed) R. M. MUNDY.

His Grace the
Duke of Buckingham and Chandos,
&c. &c. &c.

(No. 149.)

SIR,

Government Office, St. Lucia, August 26, 1868.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, No. 1079, of the 20th July last, transmitting the copy of a Despatch from his Grace the Secretary of State, No. 58, of the 20th June, directing my attention to the high dietary scale in use in the Royal Gaol, and requiring me to frame a graduated scale of dietary, combining sufficiency for the support and health of the prisoners with great economy, and pointing to the dietary scale in use in the gaol at Antigua as worthy of imitation.

2. I regret that, for the want of a copy of the Antigua Gaol Dietary Scale, I have not before been able to take this subject in hand, but having through the kindness of Governor Hill been furnished, by last mail, with a copy of it, I am now in a position to do so.

3. His Grace the Secretary of State, referring to the comparative Table 1. at page 22 of the Digest and Summary on Colonial Prisons, in which it is shown that the diet in the gaol in Castries is considerably higher than the scale in some other West India gaols, expresses his regret that the Administrator has not as yet reported a reduction in this excessive scale.

4. As far as I can gather from the papers before me, the scale referred to in the Digest and Summary is the one which was passed in 1854, and which continued in operation until August 1865, when the then Administrator, Mr. Grant, in Council, made and passed the one now in use, and which it would appear has escaped notice.

5. I think I am correct in the conclusion I have arrived at, for I find that the different articles of diet mentioned in the "Tariff of Provisions for Prisoners in Gaol," attached to the Gaol rules of 1854, when calculated according to the scale of equivalents at page 23 of the Digest and Summary, give for one week's provision the same values as are set down in column *h* of Table 1., namely, 168, 56, 224; that is to say, that the daily rations of 24 ounces of bread and 8 ounces of salt fish would give for the week's supply 168 ounces of farinaceous and 56 ounces of animal food, making a total of 224 ounces.

6. On a comparison of the two scales, copies of which are enclosed, it will be found that the dietary scale of August 1865 is very much lower and is altogether better than the one of October 1854. In the first place, the scale (if it can be so called) of 1854 was applied to criminal prisoners of all classes, irrespective of the duration or nature of the imprisonment, whereas the scale of 1865 is graduated, both as regards the length of imprisonment and also as to whether such imprisonment is to be attended with hard labour or to be without it; and, in the second place, the quantity of food given under the one scale is very much less than the quantity given under the other. Under the scale of 1854, as I have before shown, the quantity for a prisoner for a week was 168 ounces of farinaceous and 56 ounces of animal food. Under the scale of 1865, in the highest class, that is for prisoners undergoing long imprisonments with hard labour, the quantity per week is 140 ounces of farinaceous and 42 ounces of animal food; and in the other two classes, namely, short terms of imprisonment of 14 days and under, with or without hard labour, and longer imprisonments without hard labour, the quantities are still less.

7. Our present dietary scale will (at least as to quantity of food) even stand a comparison with that of Antigua. The scale now in use for the gaol of Antigua was adopted in February 1865, and is therefore, I presume, the same as that referred to in the Digest and Summary. The values of diet equivalents there given are 151½ for farinaceous and 22 for animal food, the difference being in our favour on the former of 11½, and against us on the latter of 20, which, however, would be somewhat reduced if the quantity of "sugar," which is stated to be "besides," were taken into account. It is true that in the Antigua scale there is a regulated alternation of diet for each day of the week, while in ours no such arrangement exists. It does not follow, however, that the prisoners in the Castries Gaol are fed constantly on one particular description of food, for under the scale it is competent for the gaol authorities to give bread, farine manioc, cornmeal, or vegetables, as may be considered best; and changes in the diet are, I understand, accordingly made whenever recommended by the medical officer.

8. After a consideration of the observations I have ventured to make on this subject, your Excellency will perhaps be good enough to assist me with your advice as to whether I should still proceed to frame a new graduated dietary scale or await his Grace the Secretary of State's further instructions.

I have, &c.

His Excellency Lieut.-Governor Mundy,
&c. &c.

(Signed) MACNAMARA DIX,
Administrator.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Lieutenant-Governor MUNDY.

(No. 81.)

SIR,

Downing Street, November 3, 1868.

I HAVE received your Despatch, No. 478,* of the 5th of September, with one from the Administrator of St. Lucia, requesting to be further instructed as to the diet of the prisoners in Castries Gaol.

* Page 32.

It now appears that shortly after the returns from which the Digest on Colonial Prisons was compiled were furnished to this department, Mr. Grant issued a new and reduced scale of prison diet.

I consider the reductions then effected by Mr. Grant to have been sufficient, at all events for the present; and you will therefore inform Mr. Dix that he need take no action in pursuance of my instruction of the 20th of June last.

When the present scale has been some time longer in use the Government will be better able to judge whether any further reduction would be practicable.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Lieut.-Governor Mundy,
&c. &c.

No. 12.

No. 12.
Antigua.

ANTIGUA.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 99.)

MY LORD DUKE,

Leeward Islands, Antigua, September 9, 1867.

HAVING reference to your Grace's Circular Despatch of the 18th June, accompanying the Digest and Summary of Answers from Colonial Governors relative to Prisons, I have the honour to acquaint you that the prison in this colony continues in as satisfactory a condition as the nature of the building and existing laws allow it to be.

2. It is frequently visited by the Governor without any previous notice being given to the acting keeper. The grand jury, inspector of prisons, and visiting justices also pay periodical visits, and report to the Governor.

3. The number of prisoners have not increased; the average for last year was 60. The highest internal discipline is maintained without recourse to heavy punishment; the last whipping was given on the 15th November 1864.

4. With the ready employment always to be obtained in the colony there ought not to be half as many prisoners in the gaol.

I have, &c.

(Signed) STEPHEN J. HILL,

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c. Governor in Chief.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 72.)

SIR,

Downing Street, October 21, 1867.

Above.

I HAVE received your Despatch No. 99* of the 9th ultimo in reply to my Circular Despatch of the 18th of June on the subject of colonial prisons.

I have to request your attention to the description of the Antigua prison given at page 54 of the Digest and Summary communicated to you in that Despatch. It is there stated that the prison is not fit for the accommodation of more than 50 prisoners, that in 1864 the actual daily average was 148, and at times there were 206 prisoners, as many as 14 in a cell with no more than 107 cubic and 10½ superficial feet per head; that there is no sewerage or drainage, that there are only three latrines, and generally

only two beds to three prisoners, sometimes only three to seven; that there is no attempt at separation, no strictly penal labour, a treadwheel having been sold for old iron, and that the released prisoners are commonly soon re-committed. The Provost Marshal appears to have strongly urged the adoption of measures by which some at least of these gross defects might have been remedied, and you yourself are stated to have been of opinion that penal labour on the wheel should be resumed.

You state that the average number of prisoners was 60 last year, and has not exceeded that number this year. But you afford me no explanation of the extraordinary reduction of the daily average from 148 in 1864 to 60 in 1866 and part of 1867; and I am thus without the means of judging whether the average of 1864 was exceptionally high or that of 1866-7 exceptionally low, and what average should be assumed as the criterion of inadequacy or approach to adequacy in point of room; and you have not stated, although requested to do so in my Despatch of the 18th of June, whether any improvement of the prison or its discipline has or has not taken place, or is in contemplation, whilst the fact stated in the 4th paragraph of your Despatch should have shown you that there must be some great fault in the penal discipline.

I cannot refrain from expressing my disappointment at the cursory and unsatisfactory manner in which you advert to conditions of the prison and of prison discipline, which involve a very serious responsibility on the local authorities, who, when these conditions have been fully brought to light, do not, as far as appears, apply themselves to effect the requisite reforms.

Governor Hill, C.B.,
&c. &c.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

COPY of a DESPATCH from GOVERNOR HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 58.)

MY LORD DUKE,

Leeward Islands, Antigua, March 24, 1868.

I HAVE the honour, with reference to Your Grace's Despatch (Circular) of the 18th June last, and to the correspondence on the subject of the gaol of this colony, to state that it is my intention to ask the Legislative Council for a vote of 800*l.*, that is to say, 500*l.* in the present year, and 300*l.* in the next year, for the purpose of enabling me to effect some improvements in the common gaol, having for their object a better classification of prisoners, the establishment, as far as is practicable with the present structure, of the separate system, and the enforcement of penal labour, by labour on the crank or treadmill.

2. In order to carry out the proposed improvements, I propose to convert the five rooms now occupied by the keeper on the upper story into three large wards, that is to say, one ward for juvenile male offenders, one ward for untried male offenders, and one ward for male debtors. In the lower floor I would also convert six rooms, which are now used as provision stores, workshops, &c. into dormitories.

3. To replace the keeper's apartments and the stores, &c., I would erect a building at the east side of the gaol, the upstairs to be appropriated to the keeper as his quarters, and which should consist of one large room which might, if required, be divided by a screen into a sitting room and dining room, two bed rooms, an office and a lobby, with a pantry. The ground floor would be fitted for stores, workshops, &c.

4. By this arrangement a complete separation would be effected between the untried male prisoners and debtors on the one part, and the convicted prisoners on the other.

5. The female prisoners are confined in the upper floor of the building, and by a re-arrangement of the matron's apartments an additional number of cells will be provided for this branch of the prison. A wall or double partition across the gallery of the main building will create a complete separation between the male and female wards.

6. The gaol should in my opinion be adapted for about 120 prisoners. The minimum and maximum numbers of prisoners confined during the years 1865, 1866, and 1867, are as follows:—

		Maximum.	Minimum.
1865	- - - - -	185	56
1866	- - - - -	90	43
1867	- - - - -	148	37

7. The high average number of prisoners in 1863 and 1864 was occasioned by the severe drought which visited the Island, extending over a period of nearly two years. In page 47 of the Prison Digest it is remarked, "The great increase of crime in the West Indies of late years is commonly attributed primarily to the distress occasioned by drought." The sugar crop of 1866 was the largest exported for many years past; this circumstance and the increased cultivation of cotton afforded full and profitable employment to the population, and was attended by a marked diminution of offences. Last year the crop did not reach 8,000 hogsheads, and the returns show an increase of crime as compared with 1866. The average of 1864 may therefore be considered as exceptionally high.

8. The total daily average for the last three years cannot be placed at more than 60 or 65.

9. In the proposed re-construction of the gaol, the upper floor would be appropriated as follows: vizt., Chapel; Hospital. A separate prison for the females, with quarters for the matron, and the wards before mentioned, for (i.) juvenile offenders, (ii.) untried prisoners, and (iii.) debtors. The ground floor would be devoted exclusively for male adult convicts.

10. There are at present 18 sleeping wards and cells on the ground floor, the number will be increased to 24 by the plan proposed in paragraph 2. The average number of convicted male prisoners is about 50, vizt., 30 on sentence by the superior court, and 20 by summary convictions. The prisoners on sentence by Magistrates might be associated four in a room, those on long sentences by the Court of Queen's Bench confined in separate cells, and those on short sentences associated three in a room. The cells or wards would with an average number of prisoners be thus occupied at night,—

5 wards for 20 prisoners committed by Magistrates.

13 cells for 13 convicts.

6 wards - 18 ditto.

—
24

—
51

With the above arrangements the separate system can be carried out to a limited extent, and even with the maximum number likely to be confined at one time it would not be necessary to put more than five prisoners in one cell, whilst with the minimum number the separate system can be fully carried out.

11. The other improvements in contemplation are the establishment of a crank or treadmill, the erection of additional latrines, the establishment of four sets of baths and lavatories for debtors, untried males, for convicts, and for females.

12. The improvements effected since 1865 are as follows:

The successful introduction of the dry earth system of sewerage.

The introduction of an additional supply of water.

13. The internal arrangements continue to be efficiently conducted by Mr. Peters, the keeper. In support of this statement I would respectfully refer your Grace to the testimonials in favour of Mr. Peters, enclosed in my Despatch No. 51. of the 11th instant, and to the enclosed letter from Sir William Snagg covering a copy of his charge to the grand jury, and a copy of the gaol surgeon's report.

14. I have instructed the Visiting Justices to make arrangements for enforcing penal labour by shot drill. The system of letting the penal gang out to hire on sugar and other estates has been discontinued since the receipt of your Grace's Despatch, Virgin Islands, No. 93.* of the 8th November. The prisoners are now employed in repairing and keeping the streets of Saint Johns in order, and in repairing the roads in the immediate vicinity of the city. By means of this labour a saving of 300*l.* per annum is effected to the colony. It is also contemplated to apply the labour of the convicts for the final completion of the public cemetery, it being now necessary to form the road through it, and to level it in certain places.

* Page 46.

I have, &c.

His Grace the

Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed)

STEPHEN J. HILL,
Governor in Chief, Leeward Islands.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 170.)

SIR, Downing Street, June 4, 1868.

I HAVE received your Despatches Nos. 58* and 59† of the 24th of March.

I have learned with satisfaction the measures for the enlargement of the gaol which you report in your Despatch No. 58.

In the report of the inspector of prisons which is enclosed in your Despatch No. 59, it appears that the number of persons committed to prison in 1867 was 220 more than in 1866, and that 94·4 per cent. of the persons committed in 1867 had been previously committed, and that 380 persons had been committed four times or more.

These figures show that at present, as during the period to which the Digest on Colonial Prisons refers, "the gaol of Antigua is without terrors." You must take very decided measures to make the gaol more deterrent.

The diet of men at hard labour in the gaol of Antigua is given in the Digest on Colonial Prisons (page 22) as equivalent to 176 oz. of bread a week, besides sugar in quantities which are not known. Mr. Black in his present report states that the prisoners grow very fat.

You will find in the Appendix E. of the Digest a report to the Home Secretary by a committee of physicians on prison dietaries. I would wish you to consider whether it would not be desirable to divide the prisoners into several classes in respect to dietary, as recommended by that committee.

I am not prepared to say what should be the first and lowest scale of dietary; but each scale below the latest and most generous scale should be lower than the scale given in the Digest, and the last scale should be no higher. The diet should not be a higher one than will serve to keep the prisoner free from sickness.

The diet for a short sentenced prisoner cannot be looked on as of a properly penal character unless the prisoner as a general rule loses weight. Every prisoner, for whatever period sentenced, should pass through each dietary class,—his stay in each being, I should say, the same as that prescribed by the Home Office Committee.

Badly behaved prisoners should be liable to detention in a dietary class or to degradation to a lower one.

I do not clearly understand from the 14th paragraph of your Despatch No. 58. to what extent you intend to introduce labour by shot drill. I am decidedly of opinion that shot drill, or some similar description of labour, should be the only labour for short sentenced prisoners during the whole term of their imprisonment, and for other prisoners during the earlier stages of it.

I observe it stated in the answers to the interrogatories sent out by Mr. Cardwell that prisoners sentenced to hard labour are sometimes employed in cleaning the gaol. This seems to me to be work which should be reserved for infirm prisoners or prisoners sentenced to light labour.

The Governor, I believe, is in the habit of remitting one tenth of a prisoner's sentence on receiving a favourable report of him from the Provost Marshal. As the labour in use does not admit of your systematically testing a prisoner's diligence, and having regard to the general laxity of discipline, it would perhaps be well that the sentence of the courts should, save in exceptional cases, remain inviolate.

The prisoners, I observe, sleep on mattresses. You may find advantage from taking these away, and compelling prisoners not in bad health to sleep on wood for a certain fixed time, as for the first year of imprisonment at all events.

I have, &c.

Governor Hill, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 13.

MONTSERRAT.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 129.)

MY LORD DUKE, Leeward Islands, Antigua, October 21, 1867.

I HAVE the honour to enclose two Despatches from the President of Montserrat, No. 19, of the 19th September, on the subject of the delay which has taken place in answering the interrogatories relating to prisons and prison discipline, enclosed in Mr. Secretary Cardwell's Circular Despatch of the 16th January 1865; No. 26, of the 15th October 1867, transmitting the answers to the interrogatories.

2. In the present depressed financial condition of Montserrat, I fear that I cannot anticipate that any immediate measures will be adopted by the Legislature for remedying the defects in the structure and in the discipline of the gaol pointed out in the Despatches now transmitted.

3. It appears by the reply to the 24th interrogatory that no provision has been made for many years past for the religious instruction of the prisoners. President Pyne has, however, I am glad to find, recently made arrangements that Divine service, in the absence of a clergyman, shall be read in the gaol every Sunday either by the Provost Marshal or by one of the Visiting Justices.

I have, &c.,

(Signed)

STEPHEN J. HILL,

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Governor in Chief,
Leeward Islands.

(No. 19.)

SIR, Government House, Montserrat, September 19, 1867.

I HAVE the honour to acknowledge the receipt of your Circular Despatch of the 31st July last, enclosing a Circular from his Grace the Duke of Buckingham and Chandos on the subject of the colonial prisons, and requesting me to explain why no answer was returned by this Government to Mr. Cardwell's Circular of the 16th of January 1865.

2. After an unavailing search over the archives of this Island for the last three years, I regret to acquaint your Excellency that I am not in a position to give any information as to the cause of the delay which has arisen; but I have taken steps for the immediate preparation of the answers and explanations to the interrogatories referred to, and I trust soon to place in your Excellency's hands a complete report of the whole subject.

I have, &c.,

(Signed)

W. R. PYNE,

President.

His Excellency Colonel S. J. Hill, C.B.,
&c. &c. &c.,
Antigua.

(No. 26.)

SIR, Government House, Montserrat, October 15, 1867.

In my Despatch to your Excellency, No. 19, of the 19th of last month, I had the honour to express the hope that I should shortly be able to place in your Excellency's hands a report of the present condition of the prison establishments in this colony, as alluded to by his Grace the Secretary of State in his Circular Despatch dated 31st July last.

2. I have now the honour to furnish the answers and explanations required by the Interrogatories Nos. I. to XXXVII. inclusive, originally forwarded to the Colony in Mr. Cardwell's Circular of the 16th January 1865, and I hope that the information afforded may be deemed satisfactory.

3. The present continued incomplete state of the Legislature of this Island precludes me from stating what steps may be taken to remedy the deficiencies in the structure and discipline of the gaol, yet I shall lose no time in reporting upon this subject as soon as some well-matured plan is settled, and the requisite funds provided to admit of the proper execution of the repairs and alterations required.

I have, &c.,

(Signed)

W. R. PYNE,

President.

His Excellency Colonel S. J. Hill, C.B.,
Governor-in-Chief, &c. &c. &c.

DIGEST OF INFORMATION supplied by the President of Montserrat in answer to the Secretary of State's Circular Despatch (2) of 18th of June 1867.

THE rules for the government of the Colonial gaol as regards separation are elaborate, but not having been framed with reference to the accommodation in the building they are inoperative. The male and female prisoners are associated during the hours they are in the prison yard. It is stated, however, that they are not allowed to have any communication. Other separation is carried out "as far as is practicable." There is no labour at the treadmill, crank or shot-drill. Male prisoners sentenced to hard labour are employed at stone-breaking and cleaning the streets.

Twelve hours are allowed for sleep.

The arrangements with regard to stores and accounts were unsatisfactory, the supplies having been purchased as required by the gaoler. A system of supply by contract and of a Government audit of accounts is now established. There is no gaol hospital. The gaoler does not appear to keep all the books required by the rules.

It is not stated whether any periodical returns and reports are furnished to the Governor.

The gaol is sanitarily defective. There is no drainage.

Downing Street, January 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 114.)

SIR,

Downing Street, January 21, 1868.

I HAVE received your Despatch, Montserrat, No. 129* of the 21st October, in answer to my Circular Despatch of the 18th June, on prisons.

Montserrat was one of the Colonies from which no replies were sent to the interrogatories accompanying Mr. Secretary Cardwell's Circular Despatch of the 16th January 1865, and it appears that no explanation can be given of the omission to reply to those interrogatories. The replies are now sent by Mr. President Pyne.

The regulations of 21st September 1865 for the government of the prison are elaborate and minute, and in themselves they are proper regulations; but they would seem to have been copied from the regulations of some other Colony, without having regard to their applicability in one point or another, and I do not gather from the President's answers to divers of the interrogatories that they are practically applied and enforced.

By the 80th regulation "the prisoners in each prison shall be so confined as to prevent them from holding any intercourse or conversation with each other to the utmost practicable extent." There is but one prison in Montserrat, and it appears (interrogatory G) to be divided into two wards for male, and one for female offenders, and two wards for debtors. Under such structural arrangements it is plain that the rule can have no real applicability. The next rule (81) directs the division of male convicted prisoners into five classes, and as far as practicable the female prisoners into the same.

The existence of such rules as these without any possibility of giving effect to them can only tend to a fast and loose treatment of the whole body of rules.

It would appear that even the separation of the sexes is not complete, for although under interrogatory 20 the President replies, "Male and female prisoners are not allowed to have communication," yet to interrogatory 10 he replies, "There is a complete separation of male and female prisoners *while under lock and key in the cells*, but "there is but one yard for recreation." It is not apparent why the one yard should be used by both sexes at the same hours, and if the 86th rule were observed it would not be so used.

The rules are in one particular at variance with the Local Act for the government of the gaol (s. 20), which limits solitary imprisonment by the Visiting Justices for prison offences to 20 days, whereas the 66th rule extends it to 30.

Of the 8 books required by rule 21 to be kept by the gaolers I gather from the answer to interrogatory 34 that only 3 are really kept.

Strictly penal labour, that is labour by the tread-wheel or crank or by shot-drill, is not enforced, and Mr. Pyne gives no explanation of the omission to enforce it.

But if he will give his attention to the principles of prison discipline set forth in the Digest and Report accompanying my Despatch of the 18th June last, he will

perceive that there is no element of discipline which is regarded as more essential to the penal efficacy of imprisonment with hard labour.

Mr. Pyne leads me to expect a more satisfactory report when legislative action can be obtained, and I trust that his further report will explain how far the two cardinal points of individual separation and strictly penal labour will be taken into account in any improved arrangements that may be made.

Governor Hill, C.B.,
&c. / &c.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 107.)

MY LORD DUKE, Leeward Islands, Antigua, June 23, 1868.

I HAVE the honour to transmit to your Grace a Despatch from the President of Montserrat on the subject of the observations contained in your Grace's Despatch of the 21st January last, No. 114* (Montserrat), on the subject of Mr. Pyne's reply to your Grace's Circular Despatch of the 18th June 1867 on prisons.

* Page 38.

2. Mr. Pyne forwards for your Grace's consideration new and revised regulations which he has recently adopted in Montserrat.

I have, &c.,
STEPHEN J. HILL,
Governor-in-Chief,
Leeward Islands.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

President PYNE to his Excellency Colonel HILL, C.B.

(No. 40.)

SIR, Government House, Plymouth, Montserrat, June 9, 1868.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, No. 16, dated 20th February last, enclosing a copy of a Despatch from his Grace the Secretary of State, No. 114, of the 21st January 1868, on the subject of the gaol laws and regulations in connexion with the inquiry into the management and discipline of colonial prisons, called forth by the series of interrogatories which accompanied Mr. Cardwell's Circular Despatch of the 16th January 1865.

2. His Grace, after pointing out several contradictions and discrepancies in the information furnished in pursuance of these interrogatories, and calling attention to variations between the laws and regulations of the prison, is pleased to observe that the rules for the government of the gaol, though minute and proper in themselves, would seem to have been copied from the regulations of some other colony, without having regard to their applicability in one point or another.

3. From the inquiries I have made I find that his Grace's observation is eminently correct.

The regulations in question were taken many years ago from those in operation in Trinidad, and I presume it must have been at the time intended to have built up to the regulations, rather than to have modified the rules to the level of the institution which they were to govern.

4. The discrepancies in the answers to the interrogatories are more apparent than real, and are to be accounted for in this way:

It was understood that the information was sought more particularly as to the actual state of things in every-day occurrence. Hence arose inconsistencies as to what in practice did take place and that which, in theory, should have taken place, had it been possible to have carried out effectually the regulations then in existence.

5. His Grace's remarks have led me to institute an immediate and careful investigation into the management of the prison and prisoners.

I have in Council revised and amended the regulations to an extent which I trust will secure a more stringent compliance with their provisions.

I have pared them down to the mark at which I hope to be able to meet them by improved structural arrangements and a more extended accommodation as soon as the resources at my disposal will enable me to undertake the necessary alterations and repairs.

6. I beg to enclose a manuscript copy of the amended regulations.

7. Formerly criminal male offenders were subdivided into five classes, viz. :—

1. Felons, including those whose capital sentences have been commuted.

2. Prisoners convicted of petty larcenies, malicious injury to property or person.

3. Prisoners convicted of vagrancy, breach of contract.

4. Prisoners convicted of assault and battery. Prisoners for nonpayment of fines, or for contempt, or any cause not before enumerated.

5. Prisoners under 16 years of age, according to the four previous classes.

Females as far as practicable in the same way.

Prisoners of either sex under 16 years of age were to be confined by themselves, according to the five classes mentioned.

Prisoners before trial by themselves.

Debtors by themselves, and prisoners condemned to death by themselves.

8. Taking into account that extra cells might at any time be required for invalids, and also that provision would most decidedly have to be made for a system of numerical separation as well, such elaborate classification was conspicuously beyond the pretensions of this little community.

9. In the amended rules convicted prisoners of the 2d, 3d, and 4th classes, as specified above, are amalgamated into one class, as it must be absolutely impossible for many years to come to be able to provide accommodation for such minute distinctions of degree in crime.

While on the subject of classification, I may observe that provision has now been made to prohibit two prisoners being confined alone in the same cell. Section 84.

10. Of the eight books required to be kept by the gaoler, section 21, I cannot see how they can be reduced. I have on the contrary added to the records to be kept in the gaol a weekly statement of all the provisions consumed in the gaol, and the number of prisoners in custody on each day of the preceding week, to be furnished to me every Monday morning in the printed forms C. and D. appended hereto.

This arrangement is calculated to enforce economy and regularity in the consumption of the supplies for the maintenance of the prisoners.

11. The most important alteration in the regulations will perhaps be found in section 29, in which provision is made for the introduction of the dry earth conservancy system of sewage.

I have taken pains to make these rules as clear and intelligible as possible, and the gaoler reports to me, and my personal observation corroborates his report, that the system is perfectly successful. Proper latrines and a urinary shed have been erected on the premises.

12. I also saw reason to amend that part of the rules which sanctioned punishment in the stocks for eight consecutive hours, so that in future one hour must intervene after every two hours' infliction. A shed has also been built over the stocks to shelter the prisoners from the sun.

13. I now come to the concluding part of his Grace's Despatch, in which his Grace expresses a hope that any further report from me on the gaol will explain how far the two cardinal points of individual separation and strictly penal labour will be taken into account in any improved arrangements that may be made.

14. In reply to this, I would respectfully observe that the Despatch I am now writing and the regulations enclosed will perhaps best show the degree of perfection aimed at in respect of the classification of the prisoners.

Owing to alterations made there are now eight cells, capacious and well ventilated, instead of the five reported in answer to interrogatory No. 9. But at least six more will be required.

15. With regard to penal labour, in the sense that it refers to the employment of prisoners in strictly unremunerative work, I may say that such a system has never been in force here; the prisoners have always been made use of on the public roads breaking stones, or in such other public work of a rough and laborious nature as was required to be done from time to time.

I shall continue to endeavour, by careful economy in other matters, to hasten the day when I may be able to meet the expenses attendant upon the introduction of materials and implements of strictly penal labour, such as the treadwheel, crank, shot drill, &c. &c., but I cannot hold out any prospect of this being done immediately.

This year's estimate for "works and buildings" has been taken up in the restoration of the Court House and other general repairs urgently required. I have, however, every reason to hope that (whether the scheme I have already submitted to Her Majesty's Government for obtaining funds for the reparation of the public buildings is complied with or not) I shall be in a position to take the gaol in hand early next year, and his Grace may rely upon my earnest and unceasing endeavours to accomplish all the improvements and alterations desired with as little delay as possible.

I have, &c.,

W. R. PYNE,
President.

His Excellency Colonel S. J. Hill, C.B.,
&c. &c. &c.,
Governor-in-Chief.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 225.)

SIR,

Downing Street, September 28, 1868.

I HAVE received your Despatch, No. 107,* of the 23d of June, with one from the President of Montserrat, forwarding a revised set of prison regulations.

I learn with satisfaction that an examination is being made into the prison arrangements of the colony.

I regret that, in Mr. Pyne's opinion, strictly penal labour cannot be introduced at once. He will, however, bear in mind the importance of introducing it at the earliest moment for the whole of short sentences and the first months of long ones.

In section 48 of the revised regulations it is provided that prisoners who are dissenters may, *at their own request*, have a Dissenting Minister to visit them.

I think it would be better to give the initiation in such a matter as this to the Ministers of Religion, and to provide accordingly that a record of each prisoner's religious persuasion be kept in a book which shall be open to Ministers of Religion, who will be entitled to visit prisoners of their own denomination, subject to the regulations of the Visiting Justices and the assent of the prisoners themselves.

Such a provision would be in accordance with the English "Prison Ministers Act, 1863," a copy of which I annex for Mr. Pyne's guidance.

You will be good enough to inform him that, subject to the amendment which I have indicated, I approve the regulations he has framed.

WEST
INDIES.

Governor Hill, C.B., (Signed) I have, &c.,
&c. &c. BUCKINGHAM AND CHANDOS.

No. 14.

No. 14
Nevis.

NEVIS.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 168.)

MY LORD DUKE, Leeward Islands, Antigua, November 5, 1867.

I HAVE the honour to enclose to your Grace a Despatch from the Lieutenant Governor of Nevis, having reference to your Grace's Circular Despatch of the 18th June last on the subject of colonial prisons.

I have, &c.
(Signed) STEPHEN J. HILL,
The Duke of Buckingham and Chandos, Governor in Chief,
&c. &c. &c. Leeward Islands.

SIR,

Saint Kitts, October 26, 1867.

IN reference to his Grace the Secretary of State's Despatch on the subject of prisons in this Government, and on the report made by the late Mr. President Sheriff on the interrogatories and answers submitted under Mr. Secretary Cardwell's administration of the Colonial Office, I have now the honour to report that the defects in prison arrangements reported at that time have been remedied.

2. The gaol in Charlestown is properly ventilated; the drainage is as good as mechanical efforts can make it. The area of the court yard has been artificially raised 12 inches with the best material that the country could afford.

3. With respect to the water supply, there is a cistern capable of containing 20,000 gallons; there is also a well which yields a never ending supply.

4. It is true that there is but one bath, but it is sufficiently capacious to meet the wants of the establishment under any reasonable amount of pressure; it is supplied by water from the well.

I have, &c.
His Excellency Colonel Stephen J. Hill, C.B., (Signed) J. G. MACKENZIE,
Governor-in-Chief. Lieut.-Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 125.)

SIR, Downing Street, January 17, 1868.

I HAVE received your Despatch, Nevis, No. 168,* of the 5th November, enclosing one from Lieut.-Governor Mackenzie, in which he reports that the defects in the prison of Charlestown noted in the answer to Mr. Cardwell's interrogatories had been remedied. I observe, however, that in enumerating the defects to which remedies have been applied the Lieut.-Governor makes no mention of the two essential defects, of imperfect separation and the absence of strictly penal labour.

In the Prison Digest, at pp. 14 and 54, it is stated that even the industrial labour imposed was not duly exacted.

I have, &c.
Governor Hill, C.B., (Signed) BUCKINGHAM AND CHANDOS.
&c. &c.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 68.)

MY LORD DUKE, Leeward Islands, Antigua, April 3, 1868.

I HAVE the honour, with reference to your Grace's Despatch, Nevis, No. 125,* of the 17th January last, on the subject of the Nevis gaol, to transmit to your Grace a

* Above.

* Above.

WEST
INDIES.

Despatch from the Lieut.-Governor of Nevis, affording some further information in respect to the system of separation, and the mode of enforcing penal labour.

I have, &c.

(Signed) STEPHEN J. HILL,
His Grace the Duke of Buckingham and Chandos, Governor in Chief.
&c. &c. &c.

SIR,

St. Kitts, March 16, 1868.

I HAVE the honour to acknowledge receipt of your Excellency's Despatch, No. 28, covering Despatch from his Grace the Duke of Buckingham and Chandos on the subject of my report on the Nevis gaol, explanatory of the answer to Mr. Cardwell's interrogatories on the same subject.

2. The two points to which his Grace the Secretary of State seeks for information in respect to this subject are as follows:

1. Imperfect separation.

2. The absence of strictly penal labour.

3. To the first point, I have respectfully to state, for the information of his Grace the Secretary of State, that the gaol of Nevis with its courtyard is comprised within an area of 5,417 square feet, the gaol itself covers of this circumscribed area 2,016 square feet. The gaol is subdivided into 19 rooms, two stories high, with roof surmounted with dormer windows, affording airy rooms for the keepers; but within this limited space separation when the number of prisoners exceeds 18, is impossible, and the resources of the Colony, long since mortgaged for old debts, even up to date, have not proved an equivalent to its indebtedness, therefore, to extend the prison area may be a hoped-for result, but one that cannot just now be realized.

4. The absence of strictly penal labour no doubt was once a just ground of complaint, it does not now exist. Each prisoner committed to hard labour according to circumstances is employed in crushing stones within the precincts of the gaol, or performing duties outside of the gaol for the public service. It may be that the severe discipline of an English prison is not obtained, neither is it obtainable, but I feel assured that as much punishment is exacted in the gaol at Nevis as climate and local circumstances admit of.

5. The prison digest referred to seems to infer that even the industrial labour imposed was not exacted. In reply to this statement I have the honour to state that much depends on the class of officers appointed to enforce this duty, and that all has been done that could be done to secure the services of those best fitted for the execution of this duty.

6. Should the circumstances of the Colony improve, as there is every prospect they will within the lapse of a few months, the public debt will be abolished, and the salutary changes indicated by his Grace's Despatch will at once engage my best intention.

I have, &c.

His Excellency Colonel Stephen J. Hill, C.B.,
&c. &c. &c.

(Signed) J. G. MACKENZIE,
Lieut.-Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor HILL, C.B.

(No. 183.)

SIR,

Downing Street, May 22, 1868.

I HAVE received your Despatch, No. 68* of the 3d of April, with one from Captain Mackenzie respecting the gaol of Nevis.

The present financial circumstances of Nevis may be a sufficient reason why any improvements involving an outlay of money should be postponed, but in the meantime Captain Mackenzie must not fail to maintain a vigilant supervision of the discipline of the gaol, and he must do as much to make imprisonment deterrent as can be done by lengthening the hours of labour, shortening the hours of sleep, and reducing the diet. He will bear in mind that the food of a prisoner should be sufficient to keep him free from sickness, and no more.

I have, &c.

Governor Hill, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 15.

ST. KITTS.

WEST
INDIES.No. 15.
St. Kitts.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 183.)

MY LORD DUKE,

Leeward Islands, Antigua, November 19, 1867.

I HAVE the honour to transmit to your Grace a Despatch from the Lieut.-Governor of St. Kitt's, having reference to your Grace's Circular Despatch of the 18th June last on the subject of Colonial Prisons.

I have, &c.

(Signed)

STEPHEN J. HILL,

Governor in Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(No 171.)

SIR,

Government House, St. Kitts, November 16, 1867.

IN acknowledging receipt of the Circular Despatch from the Secretary of State, dated 18th June last, on the subject of prison discipline, and requiring to be informed "whether the state of the "prison in this island is still such as it was at the date of the answer to Mr. Secretary Cardwell's "Circular Despatch of January 1865, or what improvements are in progress or in contemplation," &c. I have the honour to state that the recent fire which destroyed nearly the whole of this town on the night of the 3d July last has so much interfered with the finances of the island that nothing has been done, or is in contemplation of being done, to adapt the prison to the improvements suggested in Mr. Secretary Cardwell's Circular Despatch already quoted, consequently, the prison remains in the same state that it was when the interrogatories referred to in the said Circular Despatch were answered.

2. To carry out the improvements suggested by the Circular Despatch under consideration, the present gaol must undergo considerable alterations, and a large expenditure of money would be required for such purpose, moreover, I fear that there is not room enough in the yard of the prison for any extensive alterations therein, and with the limited resources of the Island such is impracticable at this time, and I much fear that it will be so for some time to come. I regret therefore, for these reasons, that it is out of my power to bring the subject under the notice of the Legislature.

3. The discipline observed in the prison is as good as it can be under the limited staff of officers and the small amount of their salaries voted annually in the estimates; it however seems to me that it would be very difficult in a small island like this, with a very limited revenue, to adopt a system suited to large colonies, with a large amount of revenues, and having large numbers of prisoners to deal with.

I have, &c.

His Excellency Colonel Hill, C.B.,
Governor in Chief, Antigua.

(Signed) J. G. MACKENZIE,
Lieut.-Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor HILL, C.B.

(No. 126.)

SIR,

Downing Street, January 17, 1868.

I HAVE received your Despatch, St. Kitts, No. 183* of the 19th November last, with one from the Lieut.-Governor of that Colony, on the subject of my Circular Despatch of the 18th June, transmitting the Digest and Report on Prison Discipline prepared under the direction of the Secretary of State.

* Above.

If you and the Lieut.-Governor will examine with care and attention the portion of the Digest referring to St. Kitts (pp. 14 and 54), and will also acquaint yourselves with the rules and principles of prison discipline set forth in the second part of the Digest, you will perceive that the despatch of Lieut.-Governor Mackenzie does not dispose in a satisfactory manner of the matters in question respecting the prison in St. Kitts.

The want in St. Kitts of space, and of funds to add to the space, may be a sufficient reason for postponing the establishment of the separate system, but no reason is given why strictly penal labour by the treadmill or crank, or by shot-drill during the earlier stages of imprisonment with hard labour, cannot be substituted for labour in the roads and streets and on public works; nor is it stated why a practice of summary punishment for escapes cannot be adopted, nor the hours for sleep shortened, nor a lavatory be provided, nor the drainage and sewerage be improved.

I feel persuaded that on reconsideration Lieut.-Governor Mackenzie and yourself will appreciate the importance of these matters to the public welfare, and that neither you

WEST
INDIES.

nor he will be satisfied to pass them over with the mere statement that nothing has been done, and that the finances of the island do not admit of any improvements.

I have, &c.

Governor Hill, C.B.,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

No. 16.
Virgin
Islands.

No. 16.]

VIRGIN ISLANDS.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 146.)

MY LORD DUKE,

Leeward Islands, Antigua, September 27, 1867.

I HAVE the honour to transmit to your Grace a Despatch from Sir Arthur Rumbold in reply to your Grace's Circular Despatch on the subject of prison discipline.

Sir Arthur desires to abolish the present local prison regulations and conform to the rules for smaller prisons as given in the "Digest and Summary of Answers from Colonial Governors."

I have sanctioned the following alterations in the Tortola prison rules :—

Prisoners to be locked up at 6 p.m. instead of 9 p.m.

As there is no twilight in the West Indies and as candlelight could not be sanctioned, the latter hour is far too late for the prisoners to be at large.

The liberty for the Governor to sanction the hiring out the prisoners to private individuals under strict surveillance I find works favourably here.

The hours of labour are increased from 7 to 4 o'clock to 6 to 5 o'clock. Considering the very light labour imposed upon criminals in the West Indies under the denomination of "hard labour," I can see no objection to this extended time.

Sir Arthur writes, that "the Court of Petty Sessions" should have power to flog juvenile offenders. This I deem a wise provision, inasmuch as incarcerating the young and old offenders must tend to demoralize the former, while a judicious application of the rod to boys would, while it had a much stronger deterrent effect than imprisonment, not place them in a position that might jeopardize their future career in life.

I have, &c.

(Signed) STEPHEN J. HILL,

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Governor in Chief.

(No. 60.)

SIR,

Tortola, September 9, 1867.

I HAVE given serious consideration to the Circular Despatch from his Grace the Secretary of State for the Colonies on the subject of the prison discipline in these islands and the defects which are pointed out in the "Digest and Summary of Answers from Colonial Governors" forwarded therewith, commenting upon the report made by my immediate predecessor in this government.

2. The inspector of prisons, whose report I herewith enclose, and the visiting justices have given careful consideration to the defects pointed out, and have come to the conclusion that it will be wise to abolish the present local prisons regulations and conform to "the rules for the smaller prisons," page 103 of the Appendix to "Digest and Summary of Answers from Colonial Governors."

3. I have the honour to forward a statement of the alterations which have been made, and I will endeavour to point out the reasons for which they are proposed.

Principal Alterations.

Section 21. "The prisoners to be locked up at 6 p.m." in place of "9 p.m." In these latitudes it is dark shortly after six during a great portion of the year. There is no room of sufficient size to admit of prisoners' exercise, while the chances of their escape would be greatly facilitated if they were not locked up before dark. Lights would moreover be dangerous with beings so careless as those who generally are incarcerated; they rarely use lights at home, and would not exercise proper precaution.

Section 22. It is proposed to give the Governor in Council power to hire out the prisoners, of course under surveillance, to such persons as may desire to employ them. This might answer the purpose of making the prisoners' labour profitable, or self-supporting, and it was tried in this Colony some years ago, and in that respect then answered tolerably well, for there were then more persons who required, and were able to pay for, labour than is now the case. The laxity of discipline necessarily occasioned by contact with other persons must be greater than by employing them on

public works or within the gaol walls. But on the other hand it is urged that those who pay for their labour will take care that they are compelled to do a proper amount of work.

Section 23. The hours of labour have been increased by two hours, that is from six to five in place of seven to four. Division into classes is considered impracticable as there are no means to pay more than one officer to act as warder or turnkey, alteration is therefore necessary in this section. For the same reason section 24 has been struck out.

Section 62. Is necessarily altered as herein-after stated, proper officers cannot be procured; thus in the case of the matron it would be impossible to get the services of a woman able to keep a journal, she must therefore request the gaoler to do this on her behalf.

Dietary.

The scale of dietary has been reduced by half a pound of bread daily, and a quarter pound less of meat on the days when meat is allowed. It remains still ample for all purposes of humanity. Any fare which a prisoner receives in gaol must be superior in every respect to that which he is accustomed to get at his own home; I am of opinion that no further reduction could be made.

The above comprise the alterations of importance proposed to be made in the "rules for smaller prisons." I respectfully submit them for confirmation before causing them to be printed and circulated.

4. The great difficulty which encounters one at the very outset of the task, in any attempt to carry out effectual reform of prison discipline in this Colony is unquestionably the laxity of discipline. I have, during a prolonged residence in the West Indies, had frequent opportunities to observe and lament this almost insuperable barrier to progress. Such discipline as can be maintained has not a deterrent effect upon crime. The very first and most important reform should be in the officers of the gaol; of the instruments by which you would carry out a stern but wholesome discipline. Perhaps, as is the case here, a tolerably efficient gaoler may be procurable, but the subordinate officers, viz., the turnkey and the matron, cannot be made efficient, and no one better fitted for these offices can be obtained. The remedy would be to employ persons who had been either in the police or constabulary force at home, or discharged soldiers of good character, to fill the office of turnkey, but the miserable inducements that could be offered to such persons would infallibly militate against success. For the office of matron the same difficulties and objections apply. Moreover, when the prisoners are employed out of the gaol walls constant exposure to the sun would be very prejudicial to Europeans.

A stricter discipline might be ensured by the use of the treadmill, as suggested in the report of the inspector of prisons, and if the effect which he appears to anticipate from it was obtained, lighter descriptions of labour might be resorted to as an indulgence to prisoners of good conduct. I beg to be informed of the cost at which a treadmill on a small scale could be imported into Tortola.

Prisoners are undoubtedly better fed, clad, and lodged in prison than in their own wretched abodes; they are also made to assume, as much as possible, habits of cleanliness. While humanity dictates this treatment, these very regulations naturally better the negro's condition, and if he is not compelled to labour hard he learns to view gaol as anything but a place of punishment, especially when his sentence is not of long duration.

5. I desire earnestly to meet the just expectations of Her Majesty's Government, and to draw all the profit possible from the wise and laborious inquiries which have been so carefully embodied and considered; but, as with regard to officers so with regard to a gaol, fresh difficulties supervene. The Colony has not the means to build a gaol on an improved system in which separation and classification could be attempted to be carried out.

6. I am disposed to recommend that the Court of Petty Sessions should have power to sentence to corporal punishment, especially in the case of juvenile offenders. The use of the rod or small cat might be adopted with advantage. Children acquire confirmed vicious habits by constant or continued association with convicted adult offenders, and they grow up without the wholesome dread of incarceration, which it is so desirable to maintain as a check on crime.

7. I regret that at present no efficient system of sewerage can be carried out, but as the sea is within fifty yards of the gaol, and all tubs, &c. are emptied into it before daylight, the want of it is scarcely felt.

8. I shall ever devote my serious attention to the amelioration of prison discipline, as I am fully sensible of its claims to consideration, on a point of humanity, to be placed on "a system of penal efficacy."

Governor Hill, C.B.,
&c. &c.

I have, &c.
(Signed) ARTHUR RUMBOLD.

REPORT of the Inspector of Prisons in the Virgin Islands.

The prison has not been altered since last report.

Having an opportunity of seeing the prisoners every day, and of examining the prison whenever I deem it necessary to do so, I am able to affirm, judging from the official reports received from other colonies, that I do not see any grounds to infer that there is a prison in any of the colonies where greater attention is paid to the cleanliness of the prison as well as to the comfort, health, and moral conduct of the prisoners.

The prisoners have also the advantage of being frequently visited by the Governor.

It is to be regretted that the building, for want of sufficient space (and the means of the Colony not allowing of its extension), does not admit of a systematic plan for the separation of prisoners as is recommended. Female and male prisoners are always separated both by night and day, and on no account are allowed to communicate with each other. The solitary cells are sufficiently large.

The general management of the prison is good as far as circumstances will allow.

The diet, however, may be considered excessive, not only as regards quantity but quality, as the habits of those who constitute the greater number of persons imprisoned and the lightness of the labour imposed do not warrant it.

The negro at large lives principally upon wild fruit, vegetables, and cassava baked into a kind of bread, to this he adds corn-meal, fresh or salted fish, or a morsel of salted pork in his soup. He generally has but one meal per day. After his work is over (when he does work), his family and himself, about seven or eight o'clock in the evening gather around a large pot, filled with some of the various articles I have mentioned, and eat enormously. Such a supper would make an English labourer seriously ill. The next day he takes a ripe sour-sop or some other wild fruit in his hand and goes forth to his labour, or to pass the day in idleness until the evening, when the usual supper is served. Fresh meat he will not purchase; he may have dozens of goats, but those are for the market. He sleeps upon dry banana leaves without any covering upon his body. As a child he went naked or nearly so until 10 or 12 years old, prowling about the open fields and pastures.

His condition is made better by becoming a prisoner in the gaol. Sentenced to imprisonment with hard labour as a punishment for his offence, he receives a daily allowance of the best wheaten bread to be had in the island—1½ lbs. (something more than a soldier's allowance in Her Majesty's service), has 2 ozs. sugar, fresh meat 1 lb., or fresh fish in proportion, besides vegetables, soup, pot herbs, &c.

With this diet he performs hard labour, (i.e.) cleaning the streets (an easy task). Besides the above diet, I may add, the additional comforts he receives as a prisoner; he has a clean dry room to sleep in; good wholesome water to drink, and to bathe in every morning; whole and clean clothes to wear, and if sick he is provided with medical assistance, nourishment, and care. He suffers no moral degradation, for as soon as his term of imprisonment is ended he returns to his former haunts and occupations, is gladly received by the labouring class, his friends, on former terms, and laughs heartily at the punishment he has endured in that terrible bugbear the "gaol."

The consequence is that the law here is no terror to evil doers. Crime is on the increase, not crimes of the heaviest character, but thefts of cattle, sheep, goats, &c. Thefts committed on cane cultivation (to a serious extent in some instances), provision grounds, fruit, &c.; trespasses upon lands generally, and appropriating every species of moveable property; insecurity of property—persons not daring to leave their boiling houses if produce be within, unless they be watched.

The cases mentioned are now seldom brought before the courts, as the proprietors say it is better to submit to their losses than to have the delinquents sent to prison, for their punishment is not calculated to deter from a repetition of the crime by the same person, or to be a terror to others, and the offender having had an opportunity of actually testing the amount of punishment for his offence is rendered worse. The prison rules have been carefully revised with a view to enforce better discipline in and out of the prison. Greater powers are given to the gaoler and marshal to punish summarily for offences committed within the prison.

The marshal is authorized to contract for labour of prisoners (under due superintendence) without the walls of the prison; this power to be exercised at all times with the sanction of the Governor.

I feel assured that if the Legislature be permitted by the Home Government to add the punishment of flogging for thefts, &c., in addition to or in lieu of other penalties or punishments now authorized by law to be inflicted by justices of the peace in petty sessions as well as the judges of the General Court, it would have a most salutary effect in these islands. The people here dread the very idea of such a punishment, and I am confident that the power to inflict, or its infliction in a few instances, would have a decided deterrent effect in regard to crime.

As the financial state of the Colony does not allow the Legislature to carry out any regular system of penal servitude sufficiently severe to prevent the commission of crime, I would respectfully recommend as the only resource that a treadmill be erected within the gaol walls, to be used under regulations carefully superintended by the inspector and approved of by the Governor. The visiting justices also have frequent opportunity of visiting the prison, it is therefore scarcely possible that any improper use could be made of the treadmill—a mode of punishment which if judiciously adopted cannot fail to be of immense benefit to this Colony.

At present there are no means of properly enforcing penal labour, the treadmill will supply this serious defect.

The religious instruction of the prisoners is amply provided for by the appointment of the colonial minister of the Established Church to be chaplain of the gaol (an appointment of long standing).

The efforts which have been made by this Government to meet the views of Her Majesty's Government to place the little prison of the Virgin Islands in as efficient a state as the very limited resources of so impoverished a colony would admit of, I trust have met with the approbation of the Governor.

(Signed) A. C. HILL SMITH,
Inspector of Prisons, Virgin Islands.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 93.)

SIR,

Downing Street, November 8, 1867.

I HAVE received your Despatch, No. 146* of the 27th of September, with one from the President of the Virgin Islands reporting on the gaol at Tortola.

2. I am in communication with Mr. Secretary Hardy, with the view of ascertaining the cost of a treadmill on a small scale.

3. As at present advised I am not inclined to approve Sir Arthur Rumbold's proposal that the prisoners should continue to be locked up for the night at 6 P.M. instead of 9 P.M. There are obvious and very serious objections against locking up together in the dark a number of depraved men at an earlier hour, and for a greater number of hours,

than they can be expected to sleep. It is stated that the prisoners cannot be trusted with candles, but means should be taken for lighting the wards and precincts of the gaol without putting lights in the hands or within the reach of the prisoners.

4. The letting out of prisoners for hire in private employment, which Sir Arthur Rumbold contemplates in Tortola, and which would appear to be practised in Antigua, is, I need hardly observe, contrary to all received principles of prison discipline. As one gaoler and one turnkey constitute the whole male staff of the gaol in Tortola, any surveillance over the prisoners let out for hire would be merely nominal. The difficulties attending so small an establishment may justify some anomalies, but these difficulties would apparently be best met by introducing some system of severe labour within the walls of the prison.

5. The reduced scale of dietary proposed by Sir Arthur Rumbold seems still much higher than the ordinary fare of negroes at large, at least if the account given by the inspector of that fare is correct; and I observe that he insists in the first paragraph of his report on the attention paid to the comfort of the prisoners in the gaol of Tortola. The details of prison diet can only be properly regulated by those who are conversant with the habits of the population and the effect of one diet or another on their health; but it should be borne in mind that the principle on which the regulation should proceed is to reduce diet to what is necessary for health, and care should be taken to vary the diet in proportion to the amount of labour exacted from the prisoner.

6. I propose to address you in a separate despatch on the question of corporal punishment raised in Sir Arthur Rumbold's report.

I have, &c.

Governor Hill, C.B.
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 94.)

SIR,

Downing Street, November 8, 1867.

1. WITH reference to my Despatch, No. 93* of this date, I have to acquaint you that I have had under my consideration the 6th paragraph of Sir Arthur Rumbold's Despatch No. 60† of the 9th September, in which he raises the question of empowering the petty sessions court to inflict corporal punishment, especially on juvenile offenders.

* Page 46.

† Page 44.

2. I am of opinion that corporal punishment would be expedient for offences of violence and cruelty, and perhaps also for larceny, if larceny in Tortola, as in Jamaica, is so extensively practised as to strike at the root of industry in the negroes.

3. But it may be a question whether the persons charged with the administration of justice in so small a society as that of Tortola can all be relied on for the care, competency, and just discrimination which should be possessed by those who exercise large powers of corporal punishment.

4. You will be good enough to request Sir William Snagg to consider the whole question; and in doing so you will call his attention to the law recently enacted on the subject in Jamaica with the consent of Her Majesty's Government, and to the Imperial Act, 26 & 27 Vict. cap. 44.

5. In a despatch addressed to Sir Benjamin Price in May 1866,‡ Mr. Longden proposed a reconstruction of the civil establishments of Tortola, which would have enabled Her Majesty's Government to raise the salary of the officer charged with the administration of justice to 400*l.* a year, and thus to secure the services of a better qualified person than can now be expected to accept the appointment.

6. I believe that the exact plan suggested by Mr. Longden is no longer practicable; but you will communicate to Sir William Snagg the correspondence, as noted in the margin, which passed on the subject of Mr. Longden's proposal, and request him to favour me with his opinion whether courts of the colony as at present constituted, or under any reconstitution which you and he may think now practicable, should be trusted with the administration of laws such as those I have mentioned above.

7. I observe it stated at page 14 of the Digest, which accompanied my Circular Despatch of the 18th June, that the general court may sentence to flogging in the case of boys and of adults more than twice convicted, but that this power has never been exercised. Neither you nor Sir Arthur Rumbold advert to this fact; but I should be glad to be furnished with an explanation of it.

I have, &c.

Governor Hill, C.B.
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

WEST
INDIES.
No. 17.
Dominica.

No. 17.

DOMINICA.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 34.)

MY LORD DUKE,

Leeward Islands, Antigua, April 28, 1868.

I HAVE the honour to transmit to your Grace a Despatch from the Administrator of the Government of Dominica, covering a copy of the new prison rules which he has issued for the better government of the Dominica gaol. These rules are taken from the "Rules for Smaller Prisons" in Appendix L. of the Prison Digest.

2. Mr. Bulwer also encloses copies of letters addressed by him to the Visiting Justices and Provost-Marshal on the subject of prison discipline and the classification and distribution of prisoners.

3. I have requested Mr. Bulwer to furnish me, for the use of your Grace's department, with five additional copies of the prison regulations, in accordance with section 176 of the Rules of the Service.

I have, &c.

(Signed)

STEPHEN J. HILL,

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Governor-in-Chief,

Leeward Islands.

(No. 57.)

Administrator BULWER to the Governor-in-Chief.

SIR,

Government House, Roseau, April 24, 1868.

I HAVE the honour to forward herewith copy of the new "Prison Rules and Regulations" which have been issued for the government of the prison in this Island.

2. I mentioned in my Despatch submitting the measures of improvement which, in accordance with the suggestions conveyed in the "Digest and Report on Colonial Prisons," it was purposed to introduce into this prison (Despatch No. 8, January 23d, 1868), that it was intended, in connection with the subject of discipline, to remodel the existing prison rules.

3. The new rules and regulations have been framed from the "Rules for Smaller Prisons" which are to be found in Appendix L. of the Digest and Report, modified and adapted to local circumstances.

4. These rules provide a stricter discipline than has hitherto been practised. They embody also many of the improvements or alterations indicated in my Despatch, more particularly those relating to the separation and classification of prisoners.

5. In framing the rules in connection with the classification of prisoners, their distribution, and the discipline of the prison, I had particular regard to the principles of the "separate system," with the view to secure the intention of that system as far as possible, and as far as the circumstances of the prison, that is to say, the means of accommodation and supervision, would permit.

6. While the purpose of these rules then has been to carry out, partially and imperfectly indeed, but as far as can be, the important principles of the separate system, and to secure a more rigorous discipline, it is essentially necessary that they be rigidly and strictly enforced.

7. It seemed to me desirable, with this object, that the spirit of them should be realized and participated in by the superintending authorities of the gaol. I, therefore, on their introduction, addressed the Visiting Justices and the Provost-Marshal on the subject.

8. Copies of my letters directed to this object I have the honour to forward with this Despatch, as they relate to the "classification and distribution of prisoners," and to the "prison discipline," (heads III. and IV., Despatch No. 8, January 23d, par. 3,) setting forth the main points with respect to which improvement has been directed in the rules.

9. In order to promote a more effective supervision and inspection, I introduced into the rules (rule I.) a system of visitation, at uncertain times and hours, by individual members of the board of Visiting Justices, who formerly visited the gaol as a board once a month only; and I suggested to them, as a convenient mode of the division of this duty, the assignment of a certain period of time—such as that of a week—to each member in rotation. For minor arrangements, the services of a proper attendant for sick prisoners as occasion may require, referred to in paragraph No. 18 in my Despatch, No. 8, are provided for by rule 49. I may here also mention that the services of a regular cook to the establishment have been provided. Hitherto, it would appear, they have been performed by one of the prisoners.

10. Referring to the other subjects treated of in my Despatch of the 23d January, the improvements I indicated in connection with the "sanitary arrangements and provisions of the gaol," (head I., Despatch No. 8,) related to the latrines, and lavatories and baths.

The improvements in the former will be insured with the complete introduction of the "dry-earth system of sewage," which is at present in operation on a limited scale.

The lavatories and baths (par. 10., Despatch No. 8.) will be constructed as soon as the necessary money can be procured. On the question of extended "accommodation," (head II., Despatch No. 8.) I have already explained the position of the local government with respect to this (par. 18, Despatch No. 8., January 23d).

11. On the subject of "penal labour," (head V., Despatch No. 8.) I will write by a future opportunity.

His Excellency Governor Hill, C.B.
&c. &c. &c.
Antigua.

I have, &c.,
(Signed) H. E. BULWER.

(No. 52.)

Administrator BULWER to the Chairman of Board of Visiting Justices of the Gaol.

SIR,

Government House, Roseau, April 4, 1868.

THE principal subjects connected with the new rules and regulations for the government of the prison in this Island, to which I desire at the present time to invite the particular attention of the board of Visiting Justices, are the classification of prisoners, their distribution, and the general discipline of the prison.

The system that at present obtains in most of the prisons of Great Britain, which has been found by experience to be the most effective, and which is the most approved system, is that of separation. So strongly and unanimously has it been recommended by the highest authorities, that the Lords Committee in their report on prisons state as "their very decided opinion" that the system generally known as the "separate system" must now "be accepted as the foundation of prison discipline;" and in conclusion they give "as their deliberate opinion," that "the separation of one prisoner from another is the only sound basis on which a reformatory discipline can be established with any reasonable hope of success."

In the notes accompanying the report of the Lords Committee, the system is thus emphatically spoken of:

"It has been recognized too long and too widely to be now disputed, that good discipline is impracticable, and corruption certain, where prisoners are in communication with each other, and that separation is the only basis for a sound penal system. Not only in this country, but in the United States and in the chief states of Europe, the principle of separation has passed from books into legislation and practice. There is a general consent of all authorities, that it is one of the most effective instruments of punishment, and that without it not only is such an amount of reformation as may be otherwise attainable certainly prevented, but contamination is certainly produced; and its importance is increased by this, that it is the only principle of prison discipline which can be regarded as absolutely certain."

It is obvious indeed, bearing in mind the primary purpose of all criminal punishment, namely, the deterrence of others from the commission of crime, and of the criminal himself from its repetition, that punishment, in order to be deterrent, must be real and efficacious.

The weight of a sentence depends very much on the mode of its execution. In securing the object of a deterrent punishment, the two means now most approved of are, "the separate system," and, in the case of sentences to hard labour, "a strictly penal and irksome labour."

It is of the first of these we are now speaking. "Separation," says the same authority I have before quoted, "combines two elements; the preservative element of prevention from contamination, and the penal or deterrent element of severance from other men."

By the separate system, such as is here referred to, is comprehended an almost entire, if not an entire, separation of every prisoner from his fellow prisoners, by day and by night, by cellular arrangement, by system and discipline, at all times and everywhere; in fine, a moral and a physical separation.

The number of prisons in Great Britain in which it has been wholly or partially adopted is 145.

There have been, of course, and there are in many prisons, great difficulties in the way of its establishment,—difficulties of reconstruction and of expense.

In such cases a partial system of separation, or a mixed system of association and separation, has been adopted; and, although pronounced to be anomalous and objectionable, yet, where a perfect system of separation is impracticable, it may, if properly organized, be employed with great advantage.

Such a partial system of separation is, for instance, "*separation by night, and association, with restraint, by day.*" "The important element," says an authority on this subject, "is that of separation by night, with either physical or moral isolation by day, and this element must be regarded as the essential condition of a sound prison system."

Coming home to the subject of our own prison system, of the two great deterrent means of punishment I have alluded to, namely, "separation" and "a strictly penal and irksome labour,"—the former, or "separation," has hitherto been scarcely entertained as an element of the system, nor, circumstanced as this prison at present is, can it, for obvious reasons, be introduced in any degree of completeness as a system.

But I think to a certain and to a partial extent it can be adopted.

I think "separation by night" can be ensured, at least in many instances, and perhaps for the greater part among the male criminal convicts; and this "separation by night" ensured, one half of the system, and "admittedly the most important element" in prison discipline, is gained.

There would remain the labour or exercise association by day. And here, I think, great improvement is called for.

In the first place, there is the classification.

"Separation," says the same authority I have quoted, "makes classification unnecessary."

He is here, of course, speaking of a complete system of classification; so he adds, "where there is separation by night, but labour in association by day, much is gained by classifying prisoners at labour, but mere classification is an imperfect form of separation."

As will be seen by the 29th clause of the new rules and regulations, the convicted criminal prisoners will be divided into two great classes; the class of felons and the class of misdemeanants.

This is the most convenient and practicable classification that can, at present, be attained. Besides a minute classification, it is said, "would be almost as expensive to carry out as separation, and in practice it has too often been found illusory."

There will thus be this classification at labour or exercise.

But this classification only ensures in itself the separation of two classes.

It will also be necessary in the labour association by day, remembering always the great principle of the separate system, to ensure as much as possible the *moral separation* of the individuals composing each class.

The association should be under a strict condition of silence.

The 58th, 59th, and 60th rules, which bear on this subject, should be strictly enforced.

There is no question that the discipline in this respect requires amendment and greater exactitude.

I believe that the opportunities of communication and conversation between the prisoners, one with another, both within the gaol premises and outside whilst in the hard labour gang, have been too free and unrestricted; and I may add, that the intercourse between the prisoners and the officers has in some cases been perhaps a little too lax; a sufferance, I need not say, fatal to discipline.

I am now speaking more particularly of the convicted male criminal prisoners, who constitute, indeed, the chief body of prisoners. It will be seen, then, that this body of prisoners are to be divided into two great classes, felons and misdemeanants, which two classes are to be kept carefully distinct, class physically as well as morally separated from class during the day.

Each class is to wear a distinguishing dress (rule 29); and I think it would be well, if it be practicable, that the range of cells should be so divided that they have separate parts of the yard, the upper part being assigned to one class and the lower part to the other class.

I believe, with respect to the convicted male criminal portion of prisoners, that we shall be able, with some care and direction, to carry out, to a certain extent at least, the principle of the separate system; that is to say, we shall be able to secure it so far as it may be secured.

1st. By individual separation at night;

2nd. By distinction of class during the day; and,

3rd. By restriction and discipline during the day; that is, by the moral isolation of each individual, so far as possible, by the enforcement of silence, and the prevention of communication during the association of the individuals of each class, at labour or exercise.

Of course the success of this must almost entirely depend upon the vigilance and strictness exercised by the keeper and his subordinate officers.

I should wish the board of Visiting Justices and the Provost Marshal to instruct and direct the keeper of the gaol and his subordinate officers very carefully upon these points.

The rules to meet these purposes are provided (rules 29, 30, 33, 34, 46, 57, 58, 59, 60).

The means for enforcing them, and for the punishment of prisoners breaking them, are also provided (rule 67, s. 1 and 68). And for their due observance the keeper and his subordinate officers are held responsible (rules 7, 18, 19, and 21).

It will be necessary that the communication of individuals one with another be prevented, not only among the prisoners composing the hard labour gangs, but also among those not sentenced to hard labour, whilst taking the exercise allowed by the rules during the day. Rule 46 in allowing this exercise specially stipulates there shall be no communication.

Exercise, therefore, should in future be taken only under the eye and in the presence of an officer of the prison; and this officer should carefully observe the rules on this point (rules 21, 34, 46, 58, 59, and 60).

Hitherto I have spoken, as I have above noticed, with reference only to the convicted criminal prisoners, and more particularly the male prisoners.

The same rules extend, however, to the female criminal prisoners, as far as they are applicable and can be applied.

You will perceive, also, that I have dealt with one only, but that the most important, of the two means of a deterrent punishment, namely, the carrying into effect, as far as practicable, the principles of the separate system.

Of the other means of deterrent punishment, namely, the "enforcement of a strictly penal and irksome labour," I will speak on a separate occasion.

The untried prisoners and the debtors of either sex come under a different consideration.

The separation, indeed, of untried prisoners one from another is by the highest authorities considered of the first importance; it being considered "wholly unjustifiable and impolitic to risk the demoralization of those not yet guilty," and who may, therefore, be innocent, "by contact and contamination."

But, however desirable such a separation may be, it is certain that we cannot at present effect it, owing to the arrangements and accommodation of the gaol.

The case of debtors is one altogether separate and distinct.

Different wards are already assigned to those two classes of prisoners, but I believe there has been, hitherto, association during the day.

Under the rules (rule 46), giving to these two classes the means of air and exercise during the day, it is particularly provided that there should be no communication between them.

I would ask the attention of the board of Visiting Justices to this point, that arrangements be made to prevent this communication in future.

On the general subject of the prison discipline, great care has been taken in the framing of these rules to make such provisions as may best promote and conduce to the good order, the regularity, and the discipline of the establishment.

"The efficiency of every prison," says the Lords Committee, "will depend not only upon its general system, but also upon its subordinate regulations."

But with respect to this subject,—with respect to the securing of the principle of separation I have spoken of—with respect to the restraint necessary in the association of the prisoners by day, the enforcement of silence, the prevention of communication—and with respect to the other details of method and discipline enjoined in the regulations—we must bear in mind that the best rules and regulations are valuable or valueless according as they are observed and enforced.

His Honour Chief Justice Pemberton,
Chairman of the Board of Visiting Justices.
&c. &c. &c.

I have, &c.
(Signed) H. E. BULWER.

(No. 53.)

Administrator BULWER to the Provost-Marshal.

SIR,

Government House, Roseau, 6th April 1868.

THE rules and regulations for the government of the prison have lately been the subject of revision; and a new set of rules, which contains various amendments and additions, has been passed by the Governor-in-Council.

I have the honour to forward to you copies of these rules for the service of the establishment, including the board of visiting justices and all officers of the establishment.

You will perceive by rule No. 2. that the charge of the establishment and of the observance of the rules remains with you.

Rules 3. to 26. relate to the keeper of the gaol, the matron, and the other subordinate officers. With the keeper rests the responsibility for the due observance of all the rules of the prison by the subordinate officers and the prisoners. Be so good as to explain to him the nature of his trust and his responsibility.

I should wish you also to draw his particular attention, and that of the officers, to rule 21., as the injunction there given is of the first importance, and must be rigidly attended to.

Rule 26, relating to the duties of the gate porter, should be carefully observed.

By rules 29. to 34, relative to the "classification" and the "distribution" of prisoners, it will be seen that the division which was formerly provided for as classification comes more properly under the head of distribution.

For classification, all convicted criminal prisoners, of either sex, are to be divided into two classes,—felons and misdemeanants. These two classes should never come in contact or association.

As for the association of the individual prisoners of either class, I have written fully on this subject to the board of Visiting Justices, as it affects the principles of the separate system, which is now recognized as the main element of all prison discipline.

The principles of the separate system are, the separation of each individual prisoner from his fellow prisoner,—a moral and physical separation.

In some prisons this can be introduced but very partially and imperfectly.

The most important object is the "separation by night."

Each prisoner should properly be confined in a separate cell. Here we can effect this only as far as criminal prisoners are concerned, and then only so far as the accommodation will allow.

Physical separation by day we cannot effect; and we must therefore have a labour or exercise association during the day.

But it must be our object to place this association under such restraint as may secure as much as possible the moral isolation of each individual prisoner.

There should be no *fellowship* amongst prisoners.

During, therefore, the hours of labour or exercise, when they are physically associated together, all communication between them, all conversation, should be strictly prevented.

Rules 58, 59, and 60 should be rigorously enforced.

And this applies not only to those working at hard labour but to those who are not sentenced to hard labour during the three hours exercise they are allowed.

With regard to exercise, I may mention that this is not understood in prisons as a permission to lounge about the yard.

The Report on Prisons says, "During exercise, separation and silence ought to be maintained, the prisoners walking at double quick or running, with intervals of five or six yards in a circle, the officers walking the reverse way within the circle."

I would wish you also to give very particular directions to the keeper as to the necessity of preventing all indulgencies and forbidden articles. (Rules 40 and 65.)

On every occasion of my visiting the gaol I have found one or more prisoners in the possession of tobacco. I have detected its presence in the cell when the keeper has been with me. I much fear the rule on this point is too frequently evaded.

Every offence of this nature should be at once punished by more than the mere seizing of the article. By rule 67, par. 1, the keeper has the punishment in his own hands.

I have, &c.
(Signed) H. E. BULWER.

Jos. Fadelle, Esq., Provost Marshal,
&c. &c. &c.

WEST
INDIES.

COPY of a DESPATCH from Governor HILL, C.B., to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 68.)

MY LORD DUKE,

Leeward Islands, Antigua, September 28, 1868.

* Page 48.

REFERRING to my Despatch No. 34,* of the 28th April last, transmitting one from the Officer administering the Government of Dominica, with a copy of the new prison rules of that Colony, I have now the honour to forward to your Grace a Despatch from Mr. Bulwer on the subject of penal labour.

I have, &c.

(Signed) STEPHEN J. HILL,
Governor-in-Chief, Leeward Islands.

The Duke of Buckingham and Chandos,
&c. &c. &c.

Administrator BULWER to the Governor-in-Chief.

(No. 120.)

SIR,

Government House, Roseau, 25th September 1868.

IN my Despatch No. 57, of 24th April last, accompanying the new "rules and regulations for the government of the prison in this Island," I said that I would communicate with your Excellency by another opportunity on the subject of penal labour.

2. At the time of the framing of these rules and regulations I thought it better to leave the details of a hard-labour system to be settled and from time to time, according to circumstances and experience, to be revised and amended, by the superintending authorities of the gaol, in conjunction with and subject to the approval of the Governor, rather than to lay them down and establish them definitively in the rules.

The rules on the subject, therefore, briefly indicating the general nature of the hard labour, left it to the Governor, the Visiting Justices, and the Provost Marshal to direct from time to time the details of this labour.

3. I then put myself in communication with the board of Visiting Justices on the subject. I had already, when transmitting to them for their information and guidance the new rules and regulations, endeavoured to show to them the importance in prison discipline and government of the so-called "separate system," as the recognised basis of all effectual prison discipline. I stated that it was the purpose of the Government to introduce with the new rules the principles of this system as far as they could then be practically introduced; and I wished the importance of the system to be appreciated, as being one of the two most approved means of a deterrent punishment.

The other means referred to was "a strictly penal and irksome labour;" and it had been pronounced in the Report upon Colonial Prisons, and it was evident, that the labour in this prison did not answer to the description of a strictly penal labour.

4. It became our object to remedy this as far as possible. But I must own that the difficulties of introducing here a system of labour which could be considered a strictly penal labour are considerable.

On reference to that part of the "report" which relates to the West Indian department, and to the hard-labour systems in the West India Islands, I was unable to find anything in the practice of the other islands which could be usefully adopted here, the various systems being generally condemned as defective in the "Report." In the Report of the Lords Committee, where it deals with the subjects of "hard labour" and "industrial employment" (sections VI. and VII.), the Committee, alluding to the discrepancies which prevail in the different prisons in England with respect to hard labour, and to the various forms of hard labour which are in force, pronounce that of all these various forms "the treadwheel, the crank, and shot drill alone appear to merit the designation of "hard labour."

5. Here then is a precise definition of hard labour. But, on the other hand, the Committee were speaking of English prisons; and the applicability of these forms of labour in a West Indian prison, especially in one of the smaller prisons, has to be considered.

Among other considerations are those of climate and race, for as what is sufficient food or clothing in a tropical climate would be very insufficient to the wants of a temperate or cold climate, so the same degree of hard labour that is suited to the latter could not be endured in the former.

None of the forms referred to appear to have been well established in the West Indies, although they may have been occasionally or partially used, and although, where they have been used or tried, the results seem generally to have been considered satisfactory by the local authorities. Nor does it appear that their introduction is absolutely recommended.

6. This is a matter in dealing with which in a lesser Colony it is very desirable to have the experience of other Colonies possessed of better opportunities as a guide; I mean as to the expenses, the practical working, and the attendant conditions of a new system; for I would venture here to observe, that the smaller Colonies, such as this, labour under disadvantages which are only fully realized when it is sought to reduce to practice some change of system, or an improvement upon any scale.

The disadvantages to which I refer are such as the limited arrangements of the prison, the limited prison staff, the limited resources of the Colony. I do not mean to say that these disadvantages cannot be overcome, or overcome sufficiently to admit of the adoption of an improved system. What

I mean is, that these matters are more difficult of arrangement in a society where everything is on a limited scale than is perhaps generally supposed.

7. When we came to treat of the details of the hard labour to be settled here, it appeared that we had none of the forms of hard labour I have just been speaking of, except, indeed, that there had been amongst the female convicts a kind of shot drill, which, however, owing to the want of a sufficient means of supervision, was so unregulated that it was utterly ineffective.

The only kind of labour that existed, that could in any way be designated hard labour, was stone breaking within the prison walls, together with such hard labour on the public works as might from time to time be required. There had, however, always been sufficient employment or occupation for the male convict-labour gang, which seldom consisted of more than 6, 8, or 10 men; for besides the necessary services of the prison, procuring materials, keeping the cells and prison premises clean, &c. &c., there was always employment for them in keeping the premises belonging to the public buildings and the streets opposite to these buildings in order, as well as occasional employment on the roads and at the fords of the river near the town.

Their labour was therefore utilized by the Colony, to so much the saving of the Colony, although it had never been turned, nor was it of sufficient quantity to enable it to be turned, to remunerative or reimbursing purposes, as is the case at Trinidad and elsewhere.

8. This kind of employment, however, was attended with its own disadvantages, apart from the fact that it was not a strictly penal labour, having rather an industrial character.

There is no question that employment outside the prison walls, affording a change of scene, a variety, and distraction, and, moreover, opportunities of communication by sight, by intelligence, and signs with friends, and even perhaps of procuring prohibited articles, is a far less punishment, and is regarded as a far less punishment, than employment and confinement within the walls would be, and is consequently prejudicial to discipline and to the deterrent principle of punishment.

9. One of the objects then I had in view, and which was to assist in carrying out the principles of the "separate system," was to confine, if possible, the hard labour to the prison limits.

10. But in discussing the feasibility of this it was found impracticable to effect it altogether, because there would always be some duties connected with the prison service that would require the employment of the gang outside, such as the procuring of materials, stones for stone breaking, earth for the dry-earth system, which was being introduced, &c., unless, indeed, the Colony were to provide other means and incur other expenses for these purposes, which, at present at least, is not advisable.

Besides these there were other outside occupations, such as I above mentioned, in which the services of the hard-labour gang had been always engaged. It was found difficult to make other provision, at present, for the performance of those services, and certainly none could be made without entailing some cost and expense to the Colony, which it is very expedient, if possible, at this moment, to avoid.

11. I found it necessary then to acquiesce in the continued employment for the present of the hard-labour gang in some of these outside services, for which no other provision could for the time be made, although, as opportunities offer, they may by degrees be discontinued and struck off the hard-labour list.

12. A copy of this list or tabular statement I have here the honour to forward.

It sets forth the course of occupation and labour assigned to the hard-labour prisoners, who for these purposes, both male ward and female ward, are divided into two classes, felons and midemeanants.

13. The system is of course far from being as satisfactory as could be wished, but it is the best arrangement that under circumstances could at present and for the present be made. What in my opinion is to be desired and should be had in view is, first, the gradual abolishing of the employments of the hard-labour gang in public services outside the prison walls; secondly, the consequent limiting of their employment to the prison boundaries; and, thirdly, the introduction of some such form of penal labour as the treadmill or the shot drill, as the experience of neighbouring Colonies may pronounce to be adapted to the circumstances and condition of minor prisons.

His Excellency Governor Hill, C.B.

I have, &c.

H. E. BULWER.

&c. &c. &c.

Antigua.

HARD-LABOUR RULES,

Framed and issued under provision and authority of Section 42. of Prison Rules and Regulations, 1868.

MALE PRISONERS.

A.—Table of Labour for Class I. (Felons.)

Ordinary Employment.

1. Supplying gaol with stones, for breaking within gaol.
2. Supplying gaol with earth for dry-earth sewerage.
3. Removing soiled earth from gaol.
4. Breaking stones in gaol.
5. Cleaning coal market and market place.
6. Cleaning streets, or parts of streets, opposite to

{	1. Gaol. 2. Fort Young. 3. Court-house and yard. 4. Government House. 5. Treasury and yard.
---	---

Employment on Special Occasions.

1. Cleaning the river side and embouchure upon order of the Governor, on occasion of special requisition made by the board of health to Governor.
2. Digging graves at Morne Bruce for deceased paupers in poor house, on occasion of requisition of poor law guardians (through master of poor house) to Provost Marshal.
3. Serving as labourers on any public works carried on under direction of civil engineer, upon special occasion, authorized by Governor.

B.—*Table of Labour for Class II. (Misdemeanants.)*

Ordinary Employment.

1. Weeding, sweeping, and cleaning gaol premises.
2. Washing cells and premises.
3. Furnishing daily supply of water to Government House.
4. Sifting and preparing earth in gaol for dry-earth sewerage of gaol.
5. Cotton and oakum picking and rope making in gaol.
6. Breaking stones in gaol.
7. Cleaning streets, or parts of streets, opposite to

{	1. Gaol.
	2. Fort Young.
	3. Court-house and yard.
	4. Government House.
	5. Treasury and yard.

Employment on Special Occasions.

1. Serving as labourers on any public works carried on under direction of civil engineer upon special occasion, authorized by Governor.
2. Employment on Government House grounds, upon occasion of special requisition for such service by Governor.

FEMALE PRISONERS.

C.—*Table of Labour for Class I. (Felons.)*

Ordinary Employment.

1. Washing prison clothes and linen.
2. Cleaning cells and yards, sweeping, &c. (female wards).
3. Stone breaking.
4. Oakum and cotton picking and rope making.

D.—*Table of Labour for Class II. (Misdemeanants.)*

Ordinary Employment.

1. Making and mending prison clothes and linen.
2. Oakum and cotton picking and rope making.
3. Stone breaking.

All female work shall be within the walls of the gaol.

Proviso,—

When there may be no felons in gaol, the necessary duties assigned to them shall be attended to by misdemeanants, and vice versâ when the prisoners are felons only.

Adopted by the board of Visiting Justices this seventh day of September 1868.

C. A. FILLAN,
Chairman, pro tempore.

THEO. F. LOCKHART,
JAS. A. GARRAWAY,
Visiting Justices.

COPY of a DESPATCH from the Duke of BUCKINGHAM AND CHANDOS to
Governor HILL, C.B.

(No. 85.)

SIR,

Downing Street, November 14, 1868.

I HAVE received your Despatch No. 68,* of the 28th of September, with one from the Administrator of Dominica, reporting what steps he had taken to improve the system of labour in the gaol.

I have perused Mr. Bulwer's Despatch with satisfaction. Mr. Bulwer seems to have done his best to overcome the serious obstacles which lay in his way.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Hill, C.B.

&c. &c.

AFRICAN AND MEDITERRANEAN.

AFRICAN
AND MEDITERRANEAN

No. 18.

GIBRALTAR.

No. 18.
Gibraltar.

COPY of a DESPATCH from Governor Lieut.-General Sir R. AIREY, G.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 53.)

MY LORD DUKE,

Gibraltar, March 25, 1868.

I HAVE the honour to acknowledge the receipt of your Grace's despatch marked Circular (1.) of the 18th June 1867, requesting information whether the state of the prisons in Gibraltar is still such as it was at the date of the answer to Mr. Cardwell's despatch of January 1865, or what improvements have since been made, or what improvements are in progress or in contemplation, and especially the steps I have myself taken to acquit myself of responsibility for any continued existence of remediable defects under the several heads under which they are classified in the report forwarded with your Grace's "Circular."

2. In reply, I beg to inform your Grace that considerable improvements have been carried out since the receipt of the despatch above alluded to, in fact as much as our very limited revenue would permit us to undertake.

3. Your Grace will perceive, by copy of a letter from the police magistrate, herewith transmitted,* that, in the civil criminal gaol soil pits have been removed, and proper sewers substituted; the ventilation of the prisoners' cells has been improved; the floors of the debtors' rooms and of 14 of the criminal cells have been boarded, and the old flags removed; stone flagging placed in front of one row of cells; head boards placed in each cell instead of the blocks previously in use, and four of the criminal cells have been converted into two dark punishment cells.

* Not printed.

4. Moreover an addition has been made to the diet of the prisoners under sentence, and the period of hard labour has been increased, from the former hours of $5\frac{1}{2}$ to $7\frac{1}{2}$ per day, to 9 hours per day.

In the lunatic asylum branch,—

5. A matron has been appointed; the patients' rooms and hospital have been ventilated; a new roof with ventilators has been put on the corridor; an open shed with roof of galvanized iron has been built in the court yard, to protect the inmates from sun and rain during the hours of exercise; iron railings placed along the garden side of the yard to prevent accidents; a partition of iron lattice-work erected in the corridor for the better security of violent lunatics, and the corridor of the day and hospital rooms enclosed with iron lattice-work.

6. The further improvements more immediately contemplated in the civil criminal gaol are, the fitting of iron grated doors, in order to put in force the "separate system," as soon as it is lawful so to do, and flooring the remainder of the cells.

7. In the lunatic asylum branch, gas fan lights for corridors, to throw light into the patients' rooms at night.

8. That the improvements already carried out have operated beneficially is shown by the healthiness of the prisoners, the cases of sickness are few and trivial, and the majority of these even contracted before admission to prison.

9. It is worthy likewise of remark, that, during the great epidemic of 1865, not one single case of cholera occurred in the civil criminal prison.

10. I agree with the police magistrate in his report, that until an entirely new prison is constructed it will not be possible to carry out a really effective system of deterrent hard labour separation and classification of prisoners, as recommended by Her Majesty's Government; but at the same time, considering the smallness of the number imprisoned in Gibraltar, the exceptional good health enjoyed by the prisoners, and the enormous

11. If it however be considered that, a new prison should be built it would be but waste of money to continue to improve the present one, and I should be glad to be favoured with your Grace's instructions on the matter.

I have, &c.

(Signed) RICHARD AIREY,
Lieut.-General and Governor.

(No. 113.)

Downing Street, April 23, 1868.

I DULY received your Despatch, No. 53* of the 25th ult., with its enclosures, acquainting me with the improvements which have been effected in the civil criminal gaol at Gibraltar since the date of your reply to Mr. Cardwell's Despatch of January 1865.

I have to express my satisfaction that you have given so much attention to the matter, and I feel confident that you will not fail to keep steadily in view the measures necessary to enable you to enforce a strict and deterrent system of prison discipline.

With reference to your inquiry as to whether a new prison is to be constructed, it appears to me that, assuming the site of the present prison to be satisfactory, there will be no sufficient reason, when the further necessary improvements are completed, why another prison should be provided.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir R. Airey, G.C.B.,
&c. &c. &c.

No. 19.

MALTA.

COPY of a DESPATCH from Governor Lieut.-General Sir P. GRANT to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 110.)

MY LORD DUKE,

Palace, Valletta, November 2, 1867.

REFERRING to your Grace's Circular of the 18th of June last, with copies of Digest and Report on Prison Discipline in this and other countries, and of the Prisons Act, 1865, 28 & 29 Victoria, cap. 126, I am glad to find, after going carefully through the report in question, that in speaking of the Malta prisons the report says, "In Malta there are
" two houses of detention and a female prison, which are, generally speaking, sufficiently
" good for their purpose, with a large prison and house of correction for males at
" Corradino, which is in most respects a model prison of its kind."

2. There is a mistake, however, in this portion of the report, Part I., page 34, Malta, which should be hereafter corrected. It is stated that the prisons are maintained from *imperial* funds, it should be "from the *local* revenues."

3. In another part of the report, page 60, Mediterranean and African Department, after eulogizing the plan and system of management of the Corradino prison, the report goes on to say that the only apparent defects are, that there is no provision for strictly penal labour, that the diets are very high, and that the rules do not specify how Classes A. and B. are to be employed during part of the time when out of cell.

4. With regard to these points, I must inform your Grace that since the date of my predecessor's reply to Mr. Cardwell's Despatch in 1865 other special regulations relative to works to be carried out within the Corradino Prison, and outside of it, have been specially added, pursuant to Article 35 of the General Prison Rules.

5. I enclose a list of the works in question, showing the nature of each, and I may add that practically the works under Art. 2 performed outside this prison, that of breaking and cutting rock to render waste ground arable, which involves also the cutting of large cisterns and reservoirs, the removal of heavy blocks of stone, &c under the scorching sun of Malta, may be fairly called labour of a strictly penitentiary character.

6. Your Grace will observe also that there are other additional works, such as raising the boundary walls of the prison, and consequently lifting squared stones to a great height, which, taking the nature of the climate into consideration, are of a very severe character.

7. With regard to the diet, it was improved, upon medical advice, when a severer class of labour was imposed upon the prisoners, and it is a fact that the natives, when employed under ordinary circumstances in this class of work, feed oftener and in greater quantities than those established by the regulations of this prison.

8. With regard to the remarks on the employment of prisoners when out of cells, I have to remark that when the prisoners take their exercise, as allowed by the prison rules, they are at once employed in any of the works specified in the special regulations since adopted (and of which I have given a list), either within or without the prison, and according to the section the prisoner belongs to, whilst the particular condition of the individual, either physical or moral, is considered before assigning in each case the class of work the prisoner is called upon to perform.

9. With regard to the "Ospizio," that is the prison for women, it is remarked at page 60 of the report,—

"That they are not separated or kept silent or put to labour, and that their diet is high."

Also, that the Regulations say,—

"A separate sleeping cell will be allotted to each," but that this rule cannot always be operative since there are not three rooms with sometimes ten prisoners.

10. With reference to those remarks I have to observe that as regards the female prisoners (whilst in their present prison), they can only be separated into their sections according to the nature of their sentences, viz., into detention, imprisonment, and hard labour; and as there are no means at present of individual separation, perfect silence cannot be enforced.

11. Hard labour is in operation amongst the prisoners sentenced to that punishment, viz., washing clothes and menial household work, which is of a very heavy nature in the asylum for the aged and infirm.

12. The existing regulations were evidently framed without due regard to the present building, and can therefore be only attended to as far as they are found to be applicable.

13. Revised rules are under consideration which include in them a reduction of the dietary.

14. The want of funds has hitherto prevented the Government from considering the new plans, included in Appendix C., No. 1 and 2, prepared by the Honourable F. V. Inglott, Comptroller of Charitable Institutions in 1862, which have obtained the approval of the highest authorities as regards the novelty and efficiency of their arrangements, and their adaptability to the requirements of a hot climate.

15. I shall be glad if the state of the Malta revenues will during my administration permit my putting into execution the plans in question, also other sanitary improvements, which are equally pressing and important as a new prison, but with a margin of not more than from 16,000*l.* to 20,000*l.* a year for new works, I am necessarily compelled to select those that are of the most absolutely pressing character, and defer others which, though of the greatest utility, cannot be justly classified under this head.

16. On re-consideration and examination of the nature of the remarks made in this report, I cannot however but feel gratified that the two Malta prisons for male and female prisoners (the other two prisons being simply locks-up,) should have been so well spoken of and classified "amongst the few better class prisons of Her Majesty's colonies and dependencies of the Crown," and I trust that your Grace will observe from the facts I have brought under your Grace's consideration in the present Despatch, that I have not failed to act upon the practical remarks contained in the Digest and

AFRICAN
AND MEDI-
TERRANEAN.

Report, and so far as I have been, from local circumstances, enabled to do so, I have dealt with and remedied the defects pointed out.

I have, &c.
(Signed) P. GRANT,
Lieut.-General and Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor Lieut.-General Sir P. GRANT.

(No. 96.)

SIR,

Downing Street, 3d January 1868.

* Page 56.

I HAVE received your Despatch, No. 110,* of the 2d November, in reply to mine of the 18th June, with the Digest and Report on Prison Discipline.

It was, no doubt, by inadvertency that the word "imperial" was used in that document instead of "local," in designating the source from which the expenditure on prisons is defrayed.

With regard to the question of "strictly penal labour," the distinction between that labour and industrial labour of whatever kind and degree was adopted from the report of the Committee of the House of Lords in 1863, in which it is said that "of the various forms which are in force in the several prisons the treadmill, crank, and shot-drill alone appear to the Committee properly to meet the designation of hard labour," and that "industrial occupation, though it may vary in amount and character, is so much less penal, irksome, and fatiguing, that it can only be classed under the head of light labour." Such is believed to be the result of English experience, and as such it deserves your serious consideration; but should it be the deliberate opinion of yourself and those who are most capable of advising you on the subject, that there are reasons, derived from differences of climate, race, and society, which render English experience not altogether applicable for guidance in Malta, it is not desired that you should be governed implicitly by English views. It is, however, important that in all sentences to hard labour a provisionally fixed proportion of the sentence at its commencement, and a shorter period at its close, should be given to the most effectively penal labour which can safely be used in Malta, and that the lighter kinds of labour should be given in the rest of the term if, and only if, deserved by good conduct and industry for the first period; and I do not quite collect from your Despatch whether this is the case, or to how many of the prisoners sentenced to hard labour the labour which you state to be very severe is or can be allotted.

At the same time I feel sure that the spirit by which the prison of Corradino has been brought to be in most respects a model prison of its kind will continue to operate in the same direction, and that you, and those who are acting under you in these matters, will do all that can be done to make a proper use of any new lights thrown upon the subject by the recent investigations in this country.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir Patrick Grant, G.C.B.,
&c. &c. &c.

COPY of a DESPATCH from Governor Lieut.-General Sir P. GRANT to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 31.)

MY LORD DUKE,

Palace, Valletta, March 16, 1868.

* Above.

WITH reference to your Grace's Despatch, No. 96,* of January the 3d, on the subject of prison discipline, I have the honour to inform your Grace that the introduction of shot-drill, crank, &c. has been from time to time considered and canvassed in Malta by those whose judicial and legal knowledge, combined with local experience, would enable them to form the most competent judgment upon the advantages of such introduction, and they have not been introduced because they have been considered, from differences of climate, race, and society, to be inapplicable and unsuited to the place,

and I entirely concur in their opinion as to their non-applicability in the Corradino civil prison.

To carry out the hard labour to which prisoners are sentenced by the local tribunals, we have (as I explained to your Grace in former Despatch on this subject,) the most effectively penal labour that industrial labour within and without the prison walls will admit of, and though this class of labour would be comparatively light in England, the differences of climate in Malta, during the whole of the summer season especially, lasting from May to end of October, renders it infinitely more fatiguing and more responsive to really hard labour in Malta than in England. I am disposed therefore to advise that the present system of carrying out the punishment of hard labour should be adhered to.

With regard however to your Grace's suggestion, that in carrying out all sentences to hard labour a provisionally fixed proportion of the sentence at its commencement and a shorter period at its close should be given to the most effectively penal labour which can safely be used in Malta, and that the lighter kinds of labour should be given in the rest of the time if, and only if, deserved by good conduct and industry for the first period. I have given the necessary instructions for future guidance on this subject to the inspector and superintendent of the Corradino civil prison.

At present there are between 50 and 60 prisoners employed in the most effectively penal labour that the prison system affords, and, in proportion of new admission of prisoners fit for this class of work, the number will be increased, great care being taken in making the selection of such prisoners who are physically capable of performing work of this description.

I confidently trust that by the ameliorations now introduced, with others that experience may show to be expedient to add to them, crime may be lessened, and the deterrent principle more forcibly and extensively felt throughout Malta and its dependencies.

I have, &c.

(Signed) P. GRANT,
Lieut.-General and Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

No. 20.
SIERRA LEONE.

No. 20.
Sierra
Leone.

COPY of a DESPATCH from the Administrator of the Government to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 124.)

MY LORD DUKE,

Government House, Sierra Leone,
October 15, 1867.

REFERRING to your Grace's Circular Despatch of 18th June last, I have now the honour to enclose a report upon the Sierra Leone Prison, and to inform your Grace that the necessary repairs will be carried out as soon as possible. Where I have found the sentences heavy I have released many of the prisoners.

I have, &c.

(Signed) G. YONGE,
Administrator in Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

SUMMARY.

The Sierra Leone Gaol consists of three parts,—a prison for convicted males, a prison for debtors, and a prison for females.

The prisoners are in association. Males sentenced to hard labour are worked at cleaning the streets, fetching water, and other such tasks. "Silence is endeavoured to be enforced." Eleven hours are allowed for sleep.

Downing Street, July 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir A. E. KENNEDY, C.B.

(No. 157.)

SIR,

Downing Street, July 23, 1868.

* Page 59.

I RECEIVED your predecessor's Despatch No. 124,* of the 15th of October last, in which he enclosed a Report on the Sierra Leone Prison, and informed me that the necessary repairs would be carried out as soon as possible.

The subject is one which I feel sure that you will not overlook. I attach great importance to improving the state of the Colonial Prisons, especially in colonies which, like Sierra Leone, command sufficient revenues, and I would invite your attention to my Circular Despatch of the 18th of June 1867, and to the previous Circular Despatch from Mr. Cardwell dated the 18th of January 1865. The leading points to be aimed at in the construction and management of prisons are separation, classification, a steady use of penal labour, and a diet as low and unattractive as is consistent with the preservation of health.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir A. E. Kennedy, C.B.

&c. &c. &c.

No. 21.

GAMBIA.

No. 21.
Gambia.

COPY of a DESPATCH from the Administrator of the Government to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 43.)

MY LORD DUKE,

Government House, Sierra Leone, October 14, 1867.

I HAVE the honour to enclose your Grace a Report from the Acting Administrator of the Gambia, in accordance with Circular (Gambia) No. 1 of 18th June 1867.

I have, &c.

(Signed) G. YONGE,
Administrator in Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

No. 29.

SIR,

Government House, Bathurst, Gambia, September 27, 1867.

I HAVE the honour, with reference to Circular, Gambia, No. 1, dated Downing Street, 18th June 1867, forwarding Digest and Report upon Prison Discipline, to report, for the information of the noble Duke the Secretary of State for the Colonies, that the sanitary defects mentioned in part 1, par. 2, page 34, have been remedied as far as practicable; planking, two feet from the ground (upon which the prisoners hitherto slept), has been placed in each cell; sash windows, with iron bars outside, have been constructed for the four windows of the infirmary; and beds for the patients supplied.

With reference to part 1, par. Gambia, 2, page 60, sewerage is deficient on account of the level, which is almost that of the sea. No fall can be obtained for the drainage; instead of latrines, receptacles are used, which are removed and cleansed twice a day.

Steps are being taken to provide a wash-house and lavatories.

There has been only one death during the last six months; the deceased was a confirmed invalid for a length of time. Anasarca, which was formerly so fatal, may be said to have disappeared. The prison is continually and carefully inspected by the sheriff, Colonial surgeon, and myself. I have taken steps, as far as practicable, to remove all remediable defects.

The prison at McCarthy's Island has just been put in thorough repair, ventilation good, also drainage, sewerage, latrines properly attended to, and sanitary arrangements good.

I have, &c.

(Signed) HENRY ANTON,
Acting Administrator.

His Excellency Colonel Yonge,
Administrator in Chief.

COPY of a DESPATCH from the Administrator of the Government to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 44.)

MY LORD DUKE,

Government House, Sierra Leone, October 14, 1867.

I HAVE the honour to enclose duplicate of a Despatch, No. 31, of 2d instant, from the Acting Administrator of the Gambia, reporting the separation of the male and female prisoners in the gaol, and enclosing a diagram of the alterations made.

I have, &c.

(Signed) G. YONGE,
Administrator in Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

AFRICA
AND MET
TERRANE

No. 31.

SIR,

Government House, Bathurst, Gambia, October 2, 1867.

I HAVE the honour, with reference to my letter No. 29, dated 27th September 1867, to report, for the information of the noble Duke the Secretary of State for the Colonies, that I have succeeded in establishing in the gaol at Bathurst the separation of the male and female prisoners, and the necessary alteration is now being made which will effectually stop all communication.

I enclose a diagram showing the alteration.

I have, &c.

His Excellency Colonel Yonge,
Administrator in Chief.

(Signed) HENRY ANTON,
Acting Administrator.

2.

COPY of a DESPATCH from the Duke of BUCKINGHAM AND CHANDOS to the Administrator in Chief, West African Settlements.

(No. 48.)

SIR,

Downing Street, January 30, 1868.

I HAVE received your Despatches, Gambia, No. 43* and 44,† of the 14th October, with enclosures from the acting Administrator of the Gambia, in answer to my Circular Despatch of 18th June last on the state of the Colonial Prisons.

It is satisfactory to learn that the principal sanitary defects of the prisons have been removed, and that in the gaol at Bathurst the separation of the sexes has been effected. But on reference to the Digest, at pp. 87 and 88, you will perceive that on the score of penal efficiency the points of discipline which are regarded as most important are, 1, individual separation; 2, strictly penal labour by the tread-wheel, the crank, or by shot drill in the earlier stages of imprisonment; and these appear to be still wanting both in the prison at Bathurst and in that at M'Carthy's Island, unless indeed the "shed for labour" shown on the diagram of the former prison is intended for the enforcement of labour by the tread-wheel, crank, or shot drill.

I find that in October 1857, a treadmill was sent out to the Gambia, and I should wish to be informed why the use of it has been discontinued.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

His Excellency Colonel Yonge,
Administrator in Chief.

* Page 60.
† Page 61.

COPY of a DESPATCH from Governor Sir A. E. KENNEDY, C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 6.)

MY LORD DUKE,

Government House, Sierra Leone, April 11, 1868.

REFERRING to your Grace's Despatch, No. 48,* of 30th January 1868, "Gambia," I have the honour to transmit the copy of a Despatch from the Administrator of that Colony, conveying the information required by your Grace.

I have, &c.

(Signed) A. E. KENNEDY,
Governor in Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

* Above.

(No. 19.)

SIR,

Government House,
Bathurst, Gambia, April 4, 1868.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, No. 5, 2d March 1868, enclosing copy of a Despatch from his Grace the Duke of Buckingham and Chandos relative to the state of the colonial prisons at the Gambia, and requesting me to furnish the information required in the Secretary of State's Despatch.

1st. Individual separation is now strictly enforced, the prisoners being confined in separate cells, and orders will be sent by the first opportunity to the manager of McCarthy's Island to do the same.

2d. In 1857 a treadmill was received at Bathurst. On inquiry I have ascertained that the treadmill had been discontinued since the beginning of the year 1859, in consequence of Colonel d'Arcy, the then Governor of the Gambia, thinking the treadmill too laborious for the prisoners, and his having a road to cut through the bush, a distance of eight miles, to Cape St. Mary's, and in addition to which there was a sea embankment to be made on the south side of the town of Bathurst for the purpose of reclaiming land that had been submerged. The drains to be kept clear, the town site kept clean, with various other employments which kept the prisoners constantly at work, and obviated the necessity of hiring labourers at a heavy charge to the Colony.

Since my assumption of the government of the Settlement of the Gambia the prisoners have been kept at hard work.

3d. Previous to the receipt of your Excellency's Despatch I had given directions for the treadmill to be put into working order, with the view of carrying out strictly penal labour in the earlier stages of imprisonment; and at McCarthy's Island, where there is no treadmill or crank, I have ordered "shot-drill."

I have, &c.

(Signed) CHAS. G. E. PATEY, Rear Admiral,
Administrator.His Excellency Sir Arthur Kennedy, C.B.,
&c. &c. &c.No. 22.
Gold Coast.

No. 22.

GOLD COAST.

EXTRACT of a DESPATCH from Governor Sir ARTHUR E. KENNEDY, C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS, dated Government House, Sierra Leone, May 29, 1868, (No. 35.)

I HAVE the honour to transmit the copy of a Despatch, No. 47, dated 9th May, from the Administrator of the Gold Coast, covering a report on the state of the prison at that settlement.

It is unnecessary for me to occupy your Grace's attention with obvious comment upon this Despatch and enclosure.

Your Grace may feel assured that I shall, at the earliest opportunity, communicate with the Administrator, and point out such alterations and reforms as can be immediately and inexpensively adopted.

I shall also draw the Administrator's attention to the latter part of the fourth paragraph of his Despatch, where he assumes the propriety and legality of shooting down prisoners who attempt to escape from working parties on the roads.

I apprehend that the Administrator is wholly in error in thinking so extreme a course justifiable or legal; and I shall point out to him that the use of arms by prison officers can only be justified when necessary for the purposes of self-defence.

* * * * *

(No. 47. Extract.)

SIR,
 IN accordance with the directions of his Grace the Duke of Buckingham, I have caused the Colonial Secretary and the Colonial Surgeon to form themselves into a board, and report to me the state of the prison at Cape Coast.

The report speaks for itself, and the fact of the prison being the basement of a private hired house precludes any idea of structural alteration. Its principal fault is the extreme indulgence and ease which the prisoners enjoy, and the facilities afforded for escape. And I firmly believe that many of the prisoners, with the sole exception of the gang labour, consider themselves better fed and cared for than they could possibly be in a state of freedom. The only deterrent is the lash, and I am of opinion that were it more commonly used for such offences as larceny, theft, assaults, &c., the prisons would be comparatively empty. The scale of morality is so low in this country, that no disgrace attaches to a prisoner for a criminal offence. On leaving the prison, he appears to resume his station in the community as a matter of course. And this remark applies to the higher and more educated classes of the Gold Coast in an equal proportion to the lower. There are at this moment liberated convicts (of good African family and descent, and claiming equality with Europeans) who assume their station in native society, and, I regret to say, among the white merchants, as if no stain had ever been laid upon their character.

The prisons at Anamaboe and Accra are simply cells in the forts, which have been employed always for that purpose. The accommodation at Anamaboe is, with the exception of one or two rooms, very indifferent, and the cells also appear very damp. There is a large open courtyard where the prisoners can take exercise. None but the lowest class of natives are confined here, and the sentences are generally short, important cases being sent to Cape Coast for trial.

The prison at Accra in James Fort is very well adapted for natives; the cells are spacious and dry, and there appears to be more security there, on account of a portion of the fort being occupied as a barrack for the detachment, and the prisoners being, therefore, generally under the eye of the sentry. Escapes, however, take place, but usually when the prisoners are road working in gangs. To prevent this for the future, the overseers are now armed with a revolver; and the prisoners are very shy of running the chance of being shot down.

The scale of food is now the same in every respect as at Cape Coast, and is based on a rather better scale than the ordinary native provides for himself in a state of freedom. They would not appreciate a meat and bread diet; rice they dislike; and the cost of these articles on the Gold Coast would probably bring the expense of subsisting a criminal native prisoner to 2s. 6d. per day. Three-pence per day is the amount always given as "subsistence" to every class of labourer in the Protectorate.

I have caused a roomy and commodious cell to be made in Dutch Fort, Accra, for the accommodation of a white criminal or debtor prisoner. It is about 12 feet square, with boarded floor (over stone), whitewashed, and well ventilated from one large window on the land side and two smaller apertures on the sea face. Into these latter, all being well barred and protected, a good breeze comes during the day, forming a regular current of fresh air through the cell. It is my intention to cause one or two more to be constructed on the same principle for white prisoners. The one in question is now occupied by a white criminal prisoner. A great advantage is, that a good prison system can be carried on in them, Dutch Fort (now Fort Ussher) being a very large enclosure, surrounded by a wall about 10 feet high, thus serving to exclude the general public, a thing so difficult to guard against at Cape Coast.

Trusting that the many deficiencies in information will be excused upon the grounds advanced.

His Excellency Sir Arthur E. Kennedy, C.B.,
 &c. &c. &c.

I have, &c.
 (Signed) H. T. USSHER,
 Administrator.

SUMMARY of INFORMATION respecting the GAOL at CAPE COAST.

The gaol at Cape Coast is the lower story of a large private house rented by the Government. It is said to be healthy. There is no separation. The only classification is between the sexes. There is no female warder.

The hard-labour prisoners are employed in mending or sweeping the streets.

The diet (which includes fish, poultry, meat, eggs, tea, and sugar) is, as far as can be made out, equal to something more than 700 oz. of bread a week. It is, therefore, about twice as high as the diet of convicts at the public works in England, and about four times as high as the diet of prisoners in English county gaols.

The kinds of illness most common in the gaol are those which would be induced by over-eating.

Downing Street, July 13, 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to Governor Sir ARTHUR E. KENNEDY, C.B.

(No. 126.)

SIR,

Downing Street, August 15, 1868.

* Page 62.

I HAVE had under my consideration your Despatch, Gold Coast, No. 35,* of the 29th May, with a report on the state of the prison at that settlement.

I do not doubt that you will have given your immediate attention to the reforms which are so urgently required.

On reference to the Prison Digest, you will perceive that the scale of diet is extravagantly in excess of that established for convicts at the public works in England.

In India and in Jamaica, where imprisonment with hard labour, or such imprisonment as circumstances enabled the authorities to enforce, had been found ineffective, whipping for larceny was substituted, and a great decrease of crime followed.

In this country the same punishment was, by the 26 & 27 Vict. c. 44., superadded to punishments previously enacted in cases of robbery with violence to the person. I am aware of no reason why in the colonies under your government, larceny should not be made punishable by whipping, and in aggravated cases by whipping in addition to other punishments.

With respect to the question whether the overseers of convict gangs working on the roads should be authorized to fire upon convicts attempting to escape, I have to observe that in this country the firing upon a convict attempting to escape is held to be justifiable, when there is a real necessity for the act, and when the convict is a felon. In countries where felons and misdemeanants are worked together, the justification should depend on the circumstances of the case, without reference to the class of offenders.

If on the Gold Coast such a proceeding is illegal, it must of course be forbidden; and if in your opinion it is improbable that there should be any necessity for it under the circumstances in which convict gangs are worked in that settlement, it will be unnecessary to legalize it by legislation.

I have, &c.

(Signed)

BUCKINGHAM AND CHANDOS.

Governor Sir A. E. Kennedy, C.B.,

&c.

&c.

&c.

EXTRACT of a DESPATCH from Governor Sir ARTHUR E. KENNEDY, C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS, dated Government House, Sierra Leone, September 10, 1868, (No. 77.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch (Gold Coast), No. 126,* dated 15th August 1868.

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In respect to your Grace's remarks on the subject of overseers of convict gangs being authorized to fire upon convicts attempting to escape, I would (having regard to the class of persons obtainable as overseers) be greatly averse to arming them with any such power; I would limit the use of arms to cases where it was shown to be necessary in self-defence only, or under the direction of a magistrate in case of any serious outbreak.

I do not think any circumstances exist, or are likely to arise, when it would be necessary to arm ignorant and indiscriminating men, such as the overseers employed on this coast, with such a power; they would surely abuse it.

I will, unless directed to the contrary by your Grace, instruct the Administrator in this sense, and legislate in accordance with these views, if it be necessary to do so.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir ARTHUR E. KENNEDY, C.B.

(No. 147.)

SIR,

Downing Street, October 16, 1868.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 77,* of the 10th ult., stating your opinion that overseers of convict gangs on the West Coast of Africa should not be authorized to fire upon convicts attempting to escape.

Looking to your statement as to the class of persons who can be obtained to act as overseers, and to the improbability of cases arising in which it would be necessary to arm such overseers, I approve of the instructions which you propose to issue on the subject to the Administrator of the Gold Coast.

I have, &c.

(Signed)

BUCKINGHAM AND CHANDOS.

Governor Sir A. E. Kennedy, C.B.
&c. &c. &c.

AFRICAN
AND MEDIO-
TERRANEAN

* Page 64.

No. 23.

LAGOS.

No. 23.
Lagos.

COPY of a DESPATCH from Governor Sir ARTHUR E. KENNEDY, C.B., to his Grace the
Duke of BUCKINGHAM AND CHANDOS.

(No. 11.)

MY LORD DUKE,

Government House, Sierra Leone,
April 28, 1868.

WITH reference to your Grace's Circular Despatches of the 18th June 1867 and 25th February 1868, on the subject of Colonial Prisons, I have now the honour to transmit herewith the duplicate of a Despatch (No. 20 of 17th April 1868) from the Administrator of Lagos, covering a Report upon the state of the Colonial Prison in that settlement.

I have, &c.

(Signed)

A. E. KENNEDY,
Governor-in-Chief.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(No. 20.)

SIR,

Government House, Lagos, April 17, 1868.

IN reply to your letter, No. 6, dated 27th March 1868, enclosing a Circular respecting Colonial Prisons, I have the honour to inform your Excellency that I now forward such replies to the interrogatories as the state of the temporary prison in this settlement will admit.

I have, &c.

(Signed)

JOHN H. GLOVER,
Administrator.

His Excellency Sir Arthur Kennedy, C.B.,
&c. &c. &c.

DIGEST of INFORMATION respecting the Gaol at LAGOS.

The common gaol of Lagos is a temporary building of mud and thatch. It is without drainage, baths, lavatories, or urinals. The prisoners are in association night and day, the gaol consisting of eight wards, "each capable," it is stated, "of containing 25 prisoners." It may be remarked that these wards vary greatly in size, that even the largest of them could not, with any regard to health, be made to contain above six or seven prisoners.

Prisoners sentenced to hard labour are employed outside the gaol at such work as cleaning the streets. The hours of labour are 10, and the hours of sleep 12.

The information supplied to the Secretary of State is in some respects meagre and in others obviously inaccurate.

Downing Street, June 1, 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir A. E. KENNEDY, C.B.

(No. 38.)

SIR, Downing Street, June 25, 1868.

* Page 65.

I HAVE received your Despatch, No. 11,* of the 28th of April, with one from the Administrator of Lagos enclosing answers to the interrogatories respecting the gaol which he did not answer when they were first sent out to Lagos by Mr. Cardwell in January 1865, and which he now only answers after his attention has been twice recalled to them by my Circular Despatches of the 18th of June 1867 and 25th of February 1868.

I request you to call the attention of the Administrator to the errors and defects of the answers now sent.

In answer to Interrogatory II. it is stated that the gaol comprises eight cells, "each capable of containing 25 prisoners." But from the answer to Interrogatory IX. it appears that these cells, each of which is considered capable of holding an equal number of prisoners, vary considerably in contents, cell No. 7 containing 1611·33 cubic feet, cell 8 containing 2,662 cubic feet. I may remark that were as many prisoners (25) as the Administrator would think no more than proper to be put into cell No. 7; each of them would have less than 65 cubic feet of space.

In answer to the second part of this Interrogatory II. the Administrator has failed to give "the actual average greatest and least numbers for the last five years."

In answer to Interrogatory XVI. he has failed to give the amount of the diet; and in answer to Interrogatory XXXI. he has failed to give the death-rate. To Interrogatory III., what are the laws under which the prison is governed, the answer given is—"The 22 Vict. cap. 25, (which) amends the Acts on the control and management of "offenders *sentenced* to hard labour out of the Queen's dominions." The Act in question "The Convict Prisons Abroad Act, 1859," is misquoted. It purports to amend the Acts relating to offenders *sent* not *sentenced* to hard labour and not *out of* Her Majesty's dominions, but in some part of Her Majesty's dominions out of England. The Act relates to Imperial convict establishments in the colonies, and has of course no force whatever in Lagos.

From the information, such as it is, which is supplied in the replies now transmitted, I gather that the gaol is overcrowded, the diet too high, and that strictly penal labour is not in use.

In conclusion, I can only request that you will recall the attention of the Administrator of Lagos to the subject which has been so fully and elaborately brought before the local authorities in the Prison Digest which accompanied my Circular Despatch of the 18th of June.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir A. E. Kennedy, C.B.,
&c. &c.

COPY of a DESPATCH from Governor Sir A. E. KENNEDY, C.B., to his Grace the
Duke of BUCKINGHAM AND CHANDOS.

(No. 37.)

MY LORD DUKE, Government House, Sierra Leone,
September 28, 1868.

* Above.

REFERRING to your Grace's Despatch (Lagos), No. 38,* of 25th June 1868, pointing out certain errors and defects in the Administrator's answers to interrogatories respecting the colonial prison at Lagos, I have now the honour to forward herewith the copy of a Despatch from Captain Glover on the subject.

I have, &c.

(Signed) A. E. KENNEDY.

His Grace The Duke of Buckingham and Chandos,
&c. &c. &c.

No. 58.

SIR, *Government House, Lagos, September 3, 1868.*
 I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, No. 23, with enclosures, and to regret the errors and defects which are apparent in the answers to the interrogatories respecting the prison.

AFRICAN
AND MEDIO-
TERRANEAN.

2. I can only account for the Prison Digest, which accompanied his Grace's circular of the 18th June last, not having received the necessary attention, from the fact that it arrived on the 20th August, and that a day or two after I was compelled to leave Lagos, in command of the expedition in the western district, and was absent from Lagos for 21 days.

3. On my return, much fatigued, I had to occupy myself in arming the people of the frontier, and in making all necessary arrangements to meet any invasion of territory at whatever part it might be attempted. Until the arrival of Captain Cooper I have been without any responsible officer to bring any matter to my notice, which (from the incessant and active nature of the duties I have to perform in a comparatively new and rapidly rising settlement) may sometimes be neglected or unnoticed. From the clerks in the office, all natives of Africa, too much is not to be expected, nor do I wish to attach blame to them, or to evade any of my own responsibility, but I may observe that an average of four hours in the saddle daily (in this climate), besides the continual interruption of visitors and applicants throughout the remainder of the day, does not conduce to correctness or regularity in the conduct of my office or correspondence; and I trust that the case will meet with the consideration it may deserve.

4. His Grace considers the gaol overcrowded, the diet too high, and that strictly penal labour is not in use.

5. I can assure your Excellency that the subject has received from me very anxious attention, and on the 30th June I purchased a house in a partially enclosed ground (plan of which is annexed), in order that I might relieve the present gaol of some of its occupants.

6. The present gaol is but a temporary arrangement, but the best has been made of it that circumstances and the state of the colonial finances will admit of.

7. I may observe that on the night of the 26th August, at 10 p.m., I visited the prison, accompanied by the colonial surgeon and colonial engineer. The visit was *unexpected*. I found the highest temperature in the cells 88°, the lowest 82° 75'. Except in the women's cell, where one window was open, all windows (in men's cells) were closed by choice, the inmates being able to open or shut them at will. The temperature in open air was 79° 75'.

No. 7 and 8 cells, mentioned in paragraph 2 of his Grace's Despatch, open from one to the other. In cell No. 8 were 14 prisoners; thermometer 87°; four windows *all closed*. In cell No. 7, 13 prisoners were sleeping in a temperature of 88°; the door *leading from cell No. 8. and both windows closed by choice*.

8. I propose to relieve this state of crowding by confining juveniles and prisoners whose term does not exceed three months in the new house of detention, so soon as it is made sufficiently secure. The yard and cells I am apportioning into four separate departments, viz., 1, for sick prisoners and paupers; 2, untried prisoners; 3, women; 4, juveniles and short time men, to be kept as separate as possible.

9. The building of a prison necessary to carry out the intentions of Her Majesty's Government in regard to prison discipline and penal labour cannot be completed before three years, at a cost of some 6,000*l*.

10. I, propose, therefore to extend the building and completion of the gaol over this period, appropriating 2,000*l* each year to this purpose until finished.

11. The present system of labour is strictly convict and remunerative, and I would beg that it be allowed to continue, until the proposed gaol is completed, and our roads and public works are more advanced.

12. I have a rope machine, expressly purchased some months since for the prison, which is worked by a crank, but from the pressure of other necessary works I have not yet been enabled to bring it into operation.

13. Although the diet is considered too high, I must adhere to the opinion of the colonial surgeon, the gaoler, and my own experience, viz., that the diet is only *barely sufficient* to enable men in this climate to labour as the prisoners are required to do. It is as follows:—

Europeans.—1 lb. meat, 3 lbs. vegetables or 1 lb. rice.

Natives.—1½ lb. farina, flavoured by ½ pint of soup composed of fish, vegetables, salt, pepper, and palm oil, to each prisoner.

14. The present temporary and hired building has only been in occupation since January 1867, during which time the highest average number was 155, smallest number 63.

15. With regard to Interrogatory XXXI., the death-rate should be 5 per cent. per annum, caused by fever and consumption. African fever, consumption, and kraw-kraw, or skin disease, caused from poorness of blood, and to which Africans are very subject:

None.

None.

Not in all cases.

16. I have endeavoured to make the accompanying answers as complete as it is possible to do, when the necessarily temporary arrangements of our prison building and consequent imperfect arrangements are considered; and again assuring your Excellency that the subject shall receive the utmost attention,

I have, &c.

(Signed) JOHN H. GLOVER,
Administrator.

His Excellency Sir A. E. Kennedy, C.B., Governor-in-Chief,
&c. &c. &c.

COPY of a DESPATCH from the Duke of BUCKINGHAM AND CHANDOS to Governor Sir ARTHUR E. KENNEDY, C.B.

(No. 60.)

SIR, Downing Street, November 5, 1868.

* Page 66. I HAVE received your Despatch No. 37,* of the 28th of November, with one from the Administrator of Lagos, on the subject of the prison in that settlement.

I learn with satisfaction that the diet of the prisoners is not excessive, and that the gaol is no longer overcrowded.

Captain Glover urges that in consideration of the state of the public works he may be authorized to continue to employ the prisoners at road work, at all events until a new gaol is built.

Captain Glover's difficulties are no doubt serious, and I have no wish to press him on the subject of strictly penal labour whilst his arrangements are incomplete. You will, therefore, inform him that the mode of employing the prisoners has my approval for the present.

It would be desirable that Captain Glover should send home his plans of new prison buildings for revision before he proceeds to have them constructed.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir A. E. Kennedy, C.B.,
&c. &c. &c.

No. 24.

No. 24.

Cape of
Good Hope.

CAPE OF GOOD HOPE.

COPY of a DESPATCH from Governor Sir P. E. WODEHOUSE, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 111.)

MY LORD DUKE, Government House, Cape Town, October 26, 1867.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 18th June last, in which you call upon me to explain for what reason no answer was returned by me to Mr. Cardwell's Circular of the 16th January 1865 relative to colonial prisons, and in reply I beg permission to refer your Grace to my answer of the 6th April 1865, which I find quoted in the digest of the answers transmitted with your present Despatch.

In that Despatch I endeavoured to describe to the best of my ability the general nature of the prison system of this colony, and the great impediments which presented themselves to the substitution of such a system as was advocated by Her Majesty's Government; dependent altogether, as it appeared, on the proper classification of the prisoners, and their separation from each other, at any rate for the night. And I see no reason now for taking a different view of the subject.

I have, however, studied the Digest received from your Grace, and believe I may with safety assure you that the arrangements of this colony will bear a favourable comparison with those of the other colonies there described.

This Legislature has of late years paid much attention to the treatment of prisoners, with a view both to the reduction of expenditure and the diminution of crime. Repeated investigations and discussions have taken place as to the sufficiency of the diet, which have resulted in the decision that no material reduction can safely be attempted. More frequent resort to corporal punishment has been strongly advocated in some quarters, while in others great doubts have been expressed of its efficacy. Taken generally the health of the prisoners has for many years been good.

In conclusion, I would simply state that no important change can be effected here without the construction of gaols admitting of the separate confinement of prisoners, and of that I do not see the slightest probability.

I have, &c.

(Signed) P. E. WODEHOUSE.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir P. WODEHOUSE, K.C.B.

AFRICAN
AND MEDITERRANEAN.

(No. 101.)

SIR,

Downing Street, February 4, 1868.

I HAVE received your Despatch No. 111* of the 26th October in reply to my Circular Despatch of the 18th June respecting prisons.

* Page 68.

I collect from your Despatch that having no hope of obtaining the consent of the Legislature to the most material of the improvements required in the prisons of the colony, you did not make any attempt to obtain answers to the interrogatories sent to you by Mr. Secretary Cardwell on the 16th January 1865, whilst, however, you wrote on the 6th April 1865 the Despatch of which the substance is given at p. 34 of the Prison Digest, giving some general account of the way in which prisoners are dealt with.

You now state that you see no reason for taking a different view of the subject from that taken in your Despatch of April 1865, and you add an assurance that the arrangements of the colony will bear a favourable comparison with those of other colonies described in the Prison Digest, and that the Legislature has of late years paid much attention to the treatment of prisoners, with a view both to the reduction of expenditure and the diminution of crime.

The detailed information which it was the object of Mr. Cardwell's interrogatories to obtain, and which has been supplied by the Governors of most of the other colonies, discloses, no doubt, in not a few instances, a state of things which cannot be supposed to exist in such an important colony as the Cape of Good Hope, of which the government has been for many years so ably and efficiently administered. At the same time I should be glad if some favourable opportunity could be found of leading the Legislature to consider the results of the wide experience and laborious inquiries in this country on the two cardinal points of separation and of strictly penal labour. And I must still impress upon you the importance of your returning the answers to Mr. Cardwell's interrogatories, in order to enable Her Majesty's Government to have fully before them the modes of treatment and the results of it of prisoners under all the varying circumstances of climate and population which occur in the several colonies. It is obvious that the detailed particulars of the system and diet adopted in so large and important a colony as the Cape are essential to a proper consideration of the question.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir P. E. Wodehouse, K.C.B.,
&c. &c.

No. 25.

No. 25.

NATAL.

Natal.

COPY of a DESPATCH from Lieut.-Governor KEATE to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 39.)

MY LORD DUKE,

Government House, Natal, May 6, 1868.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 18th June last, referring me to Mr. Cardwell's Circular Despatch of the 16th January 1865 on the subject of Colonial Prisons, and desiring me to explain for what reason no answer was returned to that Despatch.

2. Having made inquiry, I find that on its receipt by Lieut.-Governor Maclean that Despatch was placed immediately, with its enclosures, in the hands of the Colonial Secretary, to be acted upon; that the interrogatories were forwarded by that officer to the magistrates having charge of the public gaols, who duly sent in their replies, but that on their receipt Lieut.-Governor Maclean, to whose office they were sent, was too ill to attend to business; the matter therefore stood over. Colonel Maclean left the Colony soon afterwards; and Colonel Bisset's attention does not appear to have been drawn to the subject, nor was mine, until I received your Grace's Despatch now under acknowledgment.

3. As the replies sent in were dated two years back, and some changes and improvements have been made since then in the Pietermaritzburg and Durban Gaols, I called upon the magistrates resident in the two towns to supply fresh information concerning them, and I have now the honour to transmit to your Grace copies of the interrogatories, with the answers of each magistrate duly attached. I forward also tracings of plans of the two buildings, furnished to me from the Colonial Engineer's Department.

4. Having had no opportunity yet of visiting the gaol at Durban, I am unable to speak of it from my own observation. The Colonial Engineer, who has been for some time resident there in charge of the harbour works, has at my request furnished me with additional information concerning it. I enclose a copy of his notes upon such points as, on perusing the replies of the resident magistrate, appeared to him to require further notice. The replies of the resident magistrate in Pietermaritzburg are so much more full than those of the magistrate at Durban that I have not thought it necessary, as in the case of Durban, to obtain information from any other source as to the condition of the gaol in this city; moreover, I have visited the gaol myself, and can corroborate the magistrate's statements concerning it.

5. Both gaols are in an incomplete and therefore transitional state; when the plans designed for each are carried out in their entirety there will be ample accommodation, at least for some time, for all the purposes of a prison, except for carrying out the separate system.

I think there will be no great difficulty in arranging even this, so far as it may be necessary to do so, for I am inclined to concur with the Colonial Engineer in his opinion that such a system would not be advantageous if applied to the natives or the Indians, who form the bulk of the inmates of the prisons in this colony. There is great room for improvement in the method adopted by subjecting prisoners to hard labour, and to this point I shall not fail to give my best attention. All regulations on this and other heads are necessarily provisional, and must continue to be so till defects and deficiencies of construction in the present buildings are gradually overcome. It should not be overlooked that in young and thinly-peopled colonies (and, setting aside the native population, this is one of them) the industrial employment of convicts is due not so much to a mistaken view of economizing as to the paucity of free labour which is available. This, however, is a consideration which is day by day becoming of less weight.

6. With regard to the Pietermaritzburg Gaol the most urgent requirements appear to be the completion of the outer wall, and the execution of the design for the gaoler's quarters and hospital, for which provision has already been made on the Public Works Loan Appropriation Law for the present year, and the entire removal of the lunatics from within its precincts. This latter want struck me so forcibly on my visit to this gaol that I at once instructed the Colonial Engineer to direct his attention to the preparation of plans and the choice of a site for a general lunatic asylum, and the whole subject is now under consideration.

7. In conclusion, I beg leave to forward a copy of amended regulations for the conduct of the gaol at Durban, to which I have lately given my approval.

I have, &c.
ROBERT W. KEATE,
Lieut.-Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

P.S.—The rules referred to in paragraph No. 7 of the foregoing Despatch are being printed, and will be forwarded by the earliest opportunity.

Lieutenant-Governor Keate has sent home information respecting the two chief gaols in Natal, the gaol at Pietermaritzburg and the gaol at Durban.

The two gaols are well situated and healthy. The space in them is very limited, but their death-rate is only about 1.5 per cent.

There is no separation in these gaols. The number of hours allowed for sleep is eleven. The diet is as follows:

- | | | |
|-------------------------------|---|---|
| (1.) For Europeans - | = | 413 oz. of bread a week. |
| (2.) For Natives - | = | 324 " " |
| (3.) For Coolies, Hottentots, | = | 272 " " |

The last of these scales, which is the lowest, is the same as that given to hard-labour prisoners in English County Gaols *after* six months' imprisonment.

There is no penal labour. Hard-labour prisoners are as a general rule put to labour on the public works; but at Durban some of the prisoners are employed at the gaol in cooking and washing, and

others of them are despatched about the town to fetch articles for the use of the prison from the stores of the contractors.

The Surveyor-General, in a paper on Durban Gaol, which the Governor encloses, recommends the introduction of penal labour, which he says would have the effect of keeping away from the prison nearly all the Coolies and Hottentots, which classes form the large majority of offenders.

In the meantime, at all events, he urges that the practice of sending prisoners about the town to do the shopping of the establishment should be put an end to, and all should be set to labour on the public works.

Notwithstanding the penal inefficiency of the gaol, the recommitments to Pietermaritzburg are only 10·2 per cent, on the committals. The recommitments to Durban are not given.

Sentences of flogging are passed by the Courts for grave crimes, and also for offences committed by servants against their masters. "It is commonly believed by the European employees of labour that these last sentences tend to make the natives more subservient and industrious."

Downing Street, 1st July, 1868.

AFRICAN
AND MEDITERRANEAN.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Lieut.-Governor KEATE.

(No. 123.)

SIR, Downing Street, July 24, 1868.

I HAVE received your Despatch, No. 39,* of the 6th of May, in which you forward information respecting the state and discipline of the gaols at Pietermaritzburg and Durban.

* Page 69.

I transmit to you a summary, which I have had prepared in my Department, of this information.

It would appear from this summary that the gaols of Natal are wanting in the most essential elements of prison discipline,—separation and strictly penal labour,—that the hours of sleep allowed in them are too many, and the diet too high.

You give it as your opinion, and as an opinion concurring with that of the Colonial Engineer, that the separate system would not be an advantageous system to apply to the natives and coolies, who form the great bulk of offenders. You seem inclined to agree in the opinion which the Surveyor-General expresses in favour of strictly penal labour; and as there does not appear to be any legal impediment to its introduction, and having regard to the great mass of English evidence in its favour, and to the evidence which we have had in its favour from our Tropical Dependencies, I have no hesitation in requesting that you will at once take measures to ensure prisoners being kept at some form or other of penal labour during the earlier stages of long sentences and the whole of short ones.

It would appear that all the three scales of diet in use for different races are excessive.

The diet of a prisoner undergoing penal imprisonment should be as small as is consistent with keeping him free from sickness.

General experience on this subject, though requiring to be controlled and probably modified by local experience, may yet be taken as affording presumptions and a guidance in instituting local experiments, and I have therefore to instruct you to go on making gradual and moderate reductions in all three diets until you have good grounds to believe that you have reached a point beyond which actual injury to health might be reasonably apprehended.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Lieut.-Governor Keate,
&c. &c. &c.

COPY of a DESPATCH from Lieutenant Governor KEATE to his Grace
the Duke of BUCKINGHAM AND CHANDOS.

(No. 91.)

MY LORD DUKE,

Government House, Natal, September 21, 1868.

In your Grace's Despatch, No. 123,* of the 24th of July last, on the subject of the state and discipline of the gaols at Pietermaritzburg and Durban, I am requested to take measures to ensure prisoners being kept at some form or other of penal labour during the earlier stages of long sentences and the whole of short ones, and my attention is called to the scale of diet in use for different races, which appears to be excessive.

* Above.

2. I shall do my best to carry out your Grace's views in respect to the former request,

AFRICAN
AND MEDITERRANEAN.

and to devise some means of doing so, in the face of the obstacles which the incomplete construction of these gaols must offer to my endeavours, and shall report the result. I fear that some time will elapse before these obstacles can be fully removed. With the scales of diet I had already dealt previously to the receipt of your Grace's Despatch, and I have now the honour to forward copies of the revised scales which have been adopted.

His Grace the Duke of Buckingham and Chandos.
&c. &c. &c.

I have &c.

(Signed) ROBT. W. KEATE,
Lieutenant-Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Lieutenant-Governor KEATE.

(No. 151.)

SIR,

Downing Street, November 16, 1867.

* Page 71. I HAVE received your Despatch, No. 91,* of the 21st of September, on the subject of prison discipline. I am glad to learn that you had reduced the scales of diet prior to the receipt of my instruction.

The obstacles in the way of introducing a proper system of hard labour are, no doubt, as you say, serious, but I am confident that you will, as you promise, do your best to meet my wishes.

Lieutenant-Governor Keate.
&c. &c.

I have, &c.
(Signed) BUCKINGHAM AND CHANDOS.

No. 26.
St. Helena.

No. 26.

ST. HELENA.

COPY of a DESPATCH from Governor Admiral Sir CHARLES ELLIOT, K.C.B., to
his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 18.)

MY LORD DUKE,

St. Helena, April 10, 1868.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch, dated 28th February last, recalling my attention to the Circular Despatch of the 18th June last on the subject of colonial prisons.

2. In this Circular Despatch I was directed to give my serious attention to the defects named as existing in the gaol at Ruperts. They were two; viz. defective means of classification, and insufficiency of space in the cells.

3. In the interval, however, this gaol had been totally destroyed by fire, and it had become necessary temporarily to resume the use of the old gaol at Jamestown, which was fitted up and prepared for that purpose, as reported in my Despatches No. 18, dated 25th March 1867, and No. 28, dated 24th April 1867.

4. I regret that any inconvenience should have arisen from delay in answering your Grace's Circular Despatch. The delay, however, was not occasioned by any want of attention to this important matter, but I trusted that some favourable turn in our financial position would have enabled us to make suitable provision for the reconstruction of a proper building.

5. The failure, however, of the effort to raise the loan of 30,000*l.*, and the more urgent necessity of completing the reconstruction of the existing buildings against further devastation by the white ant, renders it quite unlikely that we shall be able to commence the construction of a new gaol for the next three or four years.

I have, &c.

The Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed) CHARLES ELLIOT,
Governor.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor Admiral Sir CHARLES ELLIOT, K.C.B.

(No. 72.)

AFRICAN
AND MEDITERRANEAN.

SIR,

Downing Street, May 22, 1868.

* Page 72.

I HAVE received your Despatch No. 18,* of the 10th of April. The financial circumstances of St. Helena preclude you from undertaking at present any improvements in the gaol which involve an outlay. But in the meantime, I am confident, you will not lose sight of the principles of prison discipline which you will find laid down in the second part of the Digest transmitted to you in my Circular Despatch of the 18th of June last.

I have, &c.

(Signed)

BUCKINGHAM AND CHANDOS.

Governor Admiral
Sir Charles Elliot, K.C.B.
&c. &c. &c.

EASTERN.

EASTERN COLONIES.

No. 27.
Ceylon.

No. 27.

CEYLON.

COPY of a DESPATCH from Governor Sir H. G. R. ROBINSON to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 191.)

MY LORD DUKE,

The Pavilion, Kandy, Ceylon, August 16, 1867.

I HAVE the honour to acknowledge your Grace's Circular Despatch of the 18th of June last, on the subject of prisons and prison discipline, and calling upon me to report whether the state of the prisons in this Colony is still such as it was at the date of the answer to Mr. Cardwell's Despatch of the 16th January 1865, or what improvements have since been made, or what improvements are in progress or in contemplation.

2. With my Despatch No. 211 of the 14th September 1866, in reply to Mr. Cardwell's Despatch referred to above, I forwarded the Report of the Committee appointed by me to inquire into this subject. That report contained various recommendations based upon the instructions of the Secretary of State, and designed to carry out the principles laid down in Mr. Cardwell's Despatch. The Report was forwarded to the several Fiscals to ascertain to what extent the recommendations of the Committee could be carried out in the several gaols under their charge. The replies of the Fiscals showed that with the exception of one gaol, that of Welikadé in Colombo, the principal gaol in the Island, it was not possible to introduce the full system of reforms recommended by the Committee unless extensive changes were made in the buildings of the gaols.

3. The replies of the Fiscals were, by my direction, referred to the Committee on Prisons, who were requested to favour me with their views thereon. This they did in a second Report, a copy of which I forward for your Grace's information.

4. With a view to the introduction of the new system in the Welikadé Gaol, rules and regulations have been made for that gaol, under the authority of the Ordinance No. 20 of 1866, a copy of which rules is enclosed.

5. The Committee having recommended the introduction of penal diet in the other gaols in the Island generally, rules and regulations for carrying out that object have also been framed, a copy of which I likewise enclose.

6. In accordance with the recommendation of the Committee, instructions have also been given for the introduction of shot-drill in all the prisons that are not mere small lock-ups. This has been carried out in most of the principal gaols, and will be introduced in the others as soon as the requisite shot and stands have been procured.

7. The Welikadé Gaol is now under the superintendence of Mr. Duval, an officer who had charge of a convict establishment in Western Australia, and who was appointed to his present post under the authority of Lord Carnarvon's Despatch No. 91 of the 22d October 1866. The Prison Committee report that shot-drill is efficiently and properly conducted in this gaol. They state further that the result of their examination and inquiries satisfies them that shot-drill and penal diet are working admirably at Welikadé, and may be expected to work well elsewhere.

8. Instructions have been given to the medical officers of the several gaols to watch carefully the effect of penal diet on the health of the prisoners, and to report to the principal civil medical officer at once if it appeared to them that such diet had a prejudicial influence on the health of any of the prisoners.

9. As remarked before, many of the reforms contemplated cannot be carried out without effecting considerable alterations in most of the existing gaols, and constructing new

ones in some places. The following sums have been voted by the Legislative Council for these purposes :—

£ s. d.

By Ordinance No. 3 of 1867, providing for the appropriation
of certain unclaimed balances from the loan board - - 32,159 5 2

By the Supply Ordinance for this year, No. 1 of 1867 - - 40,000 0 0

But the proposed works cannot be commenced until the arrival of the Inspector General of Prisons, for whose appointment application was made by my Despatch No. 211 of the 14th September 1866, there being no officer in the island, as explained in that Despatch, who understands what constitutes a proper prison, or who has any acquaintance with an efficient system of prison discipline.

10. A copy of your Grace's Despatch under acknowledgment, with its enclosures, has been forwarded to the Committee on Prisons.

I have, &c.

(Signed) HERCULES G. R. ROBINSON,

His Grace the Duke of Buckingham and Chandos, Governor.
&c. &c. &c.

Enclosure 1.

Enc. 1.

REPORT.

SIR,

Colombo, January 26, 1867.

WE, your Commissioners, appointed by your Excellency and the Executive Council to be a committee to consider and report on the system suggested by the Secretary of State, in a Circular Despatch, for the improvement of prisons, and to point out what reforms are, in our opinion, feasible and desirable, have the honour to report to you as follows :—

Prisons and
Prison Disci-
pline.

Second Report.

We received, since the date of our former Report, a letter, dated November 19th 1866, written by the direction of your Excellency and the Executive Council, which referred to us certain accompanying letters, (herewith returned), which had been received from the Fiscals of the several provinces, submitting also their remarks with reference to the recommendations contained in our first Report on Prisons and Prison Discipline, and requesting that we would consider the subject, and favour your Excellency with our views thereon.

We also received a further communication from the Fiscal of the northern province, dated 21st November 1866 (herewith returned), which was referred to us by letter dated December 6th 1866.

The Fiscal's Reports show clearly, (and our own previous knowledge of the state of the jails is to the same effect,) that, with the exception of one jail, it is impossible to introduce the full system of reforms recommended by us in our first Report before extensive changes are made in the buildings of the jails. But the single exception to this is a very important one, for it is the jail of Wellicada. We think it very desirable that the new system should be at once introduced there. It will serve as a model prison, and its position, as the chief jail of the province in which the capital city of the island is situated, will make it very important as an example. Under the recent ordinance respecting prisons, your Excellency, with the advice of your Council, may make distinct rules as to any one or more prisons, and these rules may be varied at discretion, without a fresh ordinance being required. We think that a new set of prison rules should be framed for Wellicada Jail, in general accordance with our first Report. If, as we are informed, a new Governor for this jail is expected to arrive shortly from England, it may be well to wait his arrival before drawing up the details of those rules. Excepting this delay, we think it very important to begin the new system at Wellicada as soon as possible; and we may add, that the tone of the report of the Fiscal of the western province assures us, that the needed reforms will have the great benefit of that gentleman's zealous and intelligent support in carrying them into full operation.

With respect to the other jails generally, one reformatory measure may, as it seems to us, be at once introduced by general rules under the ordinance; that is, the making prison diet part of the convict's punishment.

The great preponderance of authority in the Fiscals' Report confirms the opinions already expressed by us on this subject.

We do not propose to comment on these reports in detail:—we will only remark, with reference to the Report of the Fiscal of the eastern province, who is the most decided opponent of the system of low dietary, that it is strange that a gentleman, who has had the means of learning so much about the prison discipline in many parts of the island, should state to your Excellency that no liquid but water has ever been dispensed to the inmates of the prisons in Ceylon. Coffee is at present, and long has been, served out in nearly all the prisons once every day.

We adhere to our recommendation, that the restriction of a prisoner's food to rice and salt only, (in case of Europeans to bread only,) and of his drink to water only, should form part of his punishment during a portion at least of the term of his imprisonment. But we are most anxious that the imposition of this penal diet should not be made so severe as to injure a man's health permanently. The power now possessed by your Excellency and your Council of making rules will enable an increase or a relaxation of dietary punishment to be readily effected as may seem necessary, and we think it will be right to proceed very cautiously. We recommend, as a general rule, that the diet of every prisoner sentenced to imprisonment and hard labour shall consist of rice and salt only for food, (in case of Europeans of bread only,) and of water only for drink, for the first ten days in each

EASTERN. month of imprisonment. When the whole term does not exceed ten days, the prisoner will be kept on this penal diet for the whole time.

We recommend that the medical officers of all the prisons be directed to watch most carefully, and to report promptly and fully to the principal medical officer, what effects this diet produces on the prisoners health; and each local medical officer should retain the power of altering the diet of any prisoner, if in his judgment the prisoner's state of health makes that alteration necessary; but every such alteration, and the reasons for it, and the effect produced by it, should be specially reported to the principal medical officer.

We think also that a general rule might at once be issued, introducing shot drill in all the prisons that are not mere small lock-ups.

In the last-mentioned cases it may not be right to incur the expense, in view of the approaching reconstruction of the prisons. For the explanation of shot-drill we refer to paragraphs 37 and 38 of our former Report, and to the Lords Committee's Report therein referred to.

If the diagram appended to the Lords Committee's Report, and the explanatory paragraphs were copied and sent to the Fiscals, we think that no one, who was willing to understand, would find any difficulty in doing so.

There is one class of prisoners, whom we recommend to be exempted from the rules as to penal diet and as to shot-drill. We mean those who are imprisoned by reason of their inability to pay fines. Our attention has been called to this by the valuable remarks of the Fiscal for the northern province.

We do not feel that it is within our function to discuss the details of the new buildings, or the new staff of officers at any particular jail. But we venture to recommend that one of the intended new jails on the new system should be commenced as soon as practicable, and that the first built should be one of the second class jails (see paragraph 28 of former Report). Should there be any defect of system or construction in the first experiment the consequence will not be so serious as if one of the more expensive first class jails were built in the first instance, and were to be found to require extensive alterations.

We venture also to draw attention to a very important recommendation in the Report of the Fiscal of the southern province, that prisoners should be employed in the erection of a breakwater at Galle. The promontory, that runs out beyond Buona Vista, opposite Galle, is situated much like the Isle of Portland, and the employment of convict labour on the Portland breakwater has been extensive and successful. We suggest the propriety of inquiry by competent persons whether, after due regard has been paid to any military works or buildings which it may be intended to construct at or near Buona Vista, it may not be practicable to form a penal establishment at or near the site alluded to, and to employ the prisoners on works in the harbour, as the Portland convicts have been employed on the Portland breakwater.

We have, &c.
(Signed) E. S. CREASY, C. J.
RICHARD F. MORGAN, Q.A.
T. SKINNER, Comr. of Public Works.
W. P. CHARLESLEY, M.D.

His Excellency the Governor.

Enc. 2.

Enclosure 2.

THE following rules and regulations made by the Governor, with the advice of the Executive Council, to be observed in the Wellicadde Gaol in regard to male prisoners, are published for general information.

By his Excellency's Command.

(Signed) WILLIAM CHAS. GIBSON,
Colonial Secretary.

Colonial Secretary's Office, Colombo,
12th June 1867.

Explanation of
phrases used.

In these rules the phrase "short-sentenced prisoner" means every prisoner whose term of imprisonment and hard labour, or of detention at hard labour, does not exceed six months.

The phrase "long-sentenced prisoner" means every prisoner whose term of imprisonment and hard labour, or of detention at hard labour, exceed six months.

As to short-sentenced prisoners.

Labour for short-sentenced prisoners.

I. Every short-sentenced prisoner shall throughout the term of his sentence undergo as much hard labour, at shot-drill or the treadmill or the crank, as he can endure without serious injury to health.

Separation.

During that part of the working hours of the day for which he is not at shot-drill, treadmill, or crank, he is to be employed in his cell at beating coir, or some other irksome and really hard work. While so employed in his cell he is to be frequently visited by the officers of the prison. Every prisoner is to be kept separate from other prisoners at night.

Penal diet.

II. The diet of every short-sentenced prisoner shall consist of rice and salt only for food (or, in case of Europeans, of bread) for the first ten days in each month of imprisonment. When the whole term does not exceed ten days, the prisoner is to be kept on penal diet for the whole time.

As to long-sentenced prisoners.

Stages of punishment.

There are three stages of punishment for long-sentenced prisoners. 1st. The lower stage of rigorously penal labour; 2d, the middle stage of industrial hard labour; and 3d, the upper stage of

industrial light labour. Every such prisoner shall be kept in the lowest stage, that of rigorously penal labour, for the first six months of his term. No part of this is remissible.

Prisoners in the rigorously penal stage are to undergo as much hard labour at shot drill, or the tread-wheel, or the crank, as they can endure, without serious injury to health.

During that part of the working-hours of the day for which the prisoner is not at shot-drill, or tread-wheel, or crank, he is to be employed alone in his cell at beating coir, or some other irksome and really hard work. While so employed in his cell, he is to be frequently visited by the officers of the prison. Every prisoner is to be kept separate from the rest at night.

The diet of every such prisoner shall consist of rice and salt only for food (or in case of Europeans bread) for the first ten days in each month of imprisonment.

If a long-sentenced prisoner conducts himself well during his stage of rigorously penal labour, he will be entitled at the end of six months to be raised to the middle stage, that of industrial hard labour; but the term during which he is kept in the lower stage will be prolonged if he repeatedly or seriously misconduct himself, and in no case will he be raised from the lower to the middle stage until he has passed a month at least without having been guilty of serious misconduct.

When a prisoner has been placed in the second or middle stage, that of industrial hard labour, he may, by continued good conduct, entitle himself to be raised to the upper stage, that of industrial light labour; and he may also by persevering good conduct entitle himself to have part of the term of his sentence remitted, the remissible portion not exceeding one fourth of the whole term to which he was sentenced, exclusive of the period passed in the lower stage.

On the other hand he is liable if he repeatedly or seriously misconduct himself, to be sent back into the lower stage for any part of the remaining term of his sentence not exceeding six months.

Prisoners in the middle stage, that of industrial hard labour, are to be employed at severe and really hard work, such as stone-breaking, quarrying, scavenging, coir-beating, road-making, and the like. A full hard day's labour is to be exacted from each man, having regard to his strength and capacity. Prisoners while at work are to be kept as much apart from each other as is practicable, and silence is to be strictly enforced. Every prisoner is to be kept separate from the other prisoners at night.

In order to ascertain what amount of good conduct shall entitle a prisoner to promotion from the middle to the upper stage, and also what amount of good conduct shall entitle him to remission of part of his term of imprisonment, a table of marks for good conduct shall be kept. This and the state of each man's marks shall be shown and explained to him once a week. A prisoner whose conduct for a week has been very meritorious, shall be entitled to have nine good-conduct marks for the week put to his name. One whose conduct has been good, but in a less degree, shall receive a proportionably smaller number of good marks. One whose conduct for the week has not been good, will receive no marks at all for that week; and for positive acts of misconduct portions of a man's former good marks may be cancelled. It is to be thoroughly understood and explained to the prisoner that the good conduct which will obtain marks, must be industrial good conduct, as well as good conduct in matters of discipline and moral behaviour. No man is to receive good conduct marks unless when at work he exerts himself to the best of his abilities, readily, earnestly, and perseveringly.

In order for a prisoner to rise from the middle stage to the upper stage, that of industrial light labour, a man must have got a number of good conduct marks equal to the aggregate of full marks for every week of the first half of his term of imprisonment, exclusive of the period passed in the lower stage.

Prisoners in the upper stage, that of industrial light labour, may be employed at any trade or occupation that is not of a severe or dangerous nature. They may also be employed at such duties within the gaol, or as assistants in the custody of working gangs, as may safely be intrusted to them, such as those of assistant warders, cooks, or hospital orderlies. They are liable to be degraded back into the middle stage if they misconduct themselves.

When a man has obtained as many good conduct marks as are equal to the amount of nine marks a week for three-fourths of his term of imprisonment (exclusive of the period passed in the lower stage) he will be recommended for remission of the rest of the term of his sentence, subject to such conditions as his Excellency the Governor may direct as to forfeiture of remission for misconduct, and as to appearance at stated periods before the police or headmen.

Suggested temporary rules for the treatment of prisoners who were sentenced before the first day of April 1867.

Such prisoners, if on the 1st day of April 1867 not more than six months of their term of sentence were still due, are to be treated as short-sentenced prisoners, as directed in the preceding rules; but if they conduct themselves well, they will be entitled to a remission of part of the term for which they were sentenced, not exceeding one fourth of the portion which remained due on the 1st day of April 1867.

Such prisoners, if on the 1st day of April 1867 more than six months of their term of imprisonment remained due, are to be treated as long-sentenced prisoners, as directed by the preceding rules. The six months which must pass before they can rise out of the lower stage are to be reckoned from the said 1st day of April 1867.

Enclosure 3.

The following rules and regulations made by the Governor, with the advice of the Executive Council, to be observed in the different prisons in this island, are published for general information.

By his Excellency's Command.

(Signed)

WILLIAM CHAS. GIBSON,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, 12th June 1867.

Lowest stage,
term of.

Kind of labour

Separation.

Penal diet.

Rise from lower
to middle stage.

Rise of well-conducted prisoners from middle to upper stage, and remissibility of part of the term of their sentence.

Degradation back into lower stage for misconduct.

Kind of labour in middle stage.

Separation.

Good conduct marks.

What is meant by "Good conduct."

Rise from middle to upper stage.

Kind of employment in upper stage.

Degradation for misconduct.

Remissible part of sentence how calculated.

Remission subject to conditions.

EASTERN.

I. The diet of every prisoner sentenced to imprisonment and hard labour, or committed to be detained at hard labour, shall consist of rice and salt only for food (or in case of Europeans of bread) and of water only for drink, for the first 10 days in each month of imprisonment. When the whole term does not exceed 10 days the prisoner will be kept on this penal diet for the whole time.

II. The local medical officer of each of the prisons is hereby directed to watch most carefully, and to report promptly and fully to the principal civil medical officer, what effects this diet produces on each prisoner's health; and the former is authorized to alter the diet of any prisoner if in his judgment the prisoner's state of health makes such alteration necessary. Every such alteration, and the reasons for making it, and the effect produced by it, shall be specially reported to the principal civil medical officer.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir H. G. R. ROBINSON.

(No. 200.)

SIR,

Downing Street, November 20, 1867.

* Page 74.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 191,* of the 16th August, enclosing the second Report of the Committee appointed by you to inquire into the prisons in Ceylon and the discipline enforced therein.

You also state the various steps which have been taken to bring about improvements in those establishments.

I approve of the rules framed for Wellicadde Gaol and of the intention to make that gaol a model one.

I trust under these circumstances that no time will be lost in removing the defects pointed out in the reports which have been received from Ceylon, and which are noticed at the 62d page of the Memorandum upon Prison Discipline, prepared in this office at the beginning of 1867, of which I enclose a copy for more ready reference. I am gratified to observe that so large a sum as 72,000*l.* has been appropriated to the improvement of the existing gaols, and I anticipate that as the inspector will ere this have arrived in Ceylon no further time will be lost in effecting that thorough reformation of the colonial prisons which the reports of those who are responsible for their government show to be so urgently needed.

I shall await with much interest an account of the steps which are from time to time taken with this object and of their results.

In quitting the subject for the present I must not omit to express my sense of the services rendered by Sir E. Creasy and his colleagues, Messrs. Morgan, Skinner, and Charsley, in their capacity of commissioners appointed to inquire into the state of the prisons in Ceylon and the practicability of effecting reforms on the principles which had been propounded by the Secretary of State.

It would have been impossible that any persons called to the consideration of the subject could have manifested a more anxious desire to promote the important public objects connected with it, or that these objects could have been pursued with a more careful and searching examination into principles and facts.

You will be pleased to convey to these gentlemen my cordial appreciation of the service they have rendered to the Colony on this occasion.

I send with this Despatch a copy, for each commissioner, of the Prison Digest and Report which accompanied my Circular Despatch of the 18th of June.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Sir H. G. R. Robinson,
&c. &c.

No. 28.

No. 28.

Straits
Settlements.

STRAITS SETTLEMENTS.

COPY of a DESPATCH from Governor Sir H. ST. GEORGE ORD, R.E., C.B., to his
Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 101.)

MY LORD DUKE, Government House, Singapore, June 2, 1868.

I HAVE the honour to acknowledge your Grace's Despatch, No. 28, 10th July 1867, enclosing certain circulars regarding prisons and prison discipline, together with a set of interrogatories relating to the same subject, and instructing me to ascertain and report to

your Grace how far the state of the prisons in these Settlements, and the system of discipline in operation, are in accordance with the principles adopted at home, or how far they are open to objection and capable of improvement.

2. During the greater part of last year the attention of all officials was so much taken up with the changes arising out of the transfer, that I found it necessary to defer the consideration of this subject for several months after the receipt of your Grace's Despatch. I have now the honour to forward the replies of the officers in charge of the various prisons to the sets of interrogatories submitted to them.

3. The prisons of the Settlements are of three kinds, convict prisons for the detention of felons transported from other countries, houses of correction for the punishment of local offenders, and gaols for the imprisonment of debtors and untried criminals, and occasionally, and for a limited time, of prisoners sentenced to transportation.

4. The first two descriptions of establishments are under the general charge of the Colonial Engineer, as Controller of Convicts, that at Singapore being also under his immediate superintendence, the newly appointed deputy engineer not possessing that acquaintance with Malay and Hindustanie which the duty demands. At Penang and Malacca they are under the charge of the assistant engineers, as Assistant Controllers of Convicts. The colonial gaols are under the control of the sheriff and deputy sheriffs, at their respective settlements.

5. It will be seen from the replies to the interrogatories that the system of management and discipline in force in the prisons of these Settlements differs mainly from that adopted at home, in the absence of any form of the silent or separate systems, in the absence of provisions for religious instruction, in the general inferiority of the accommodation afforded to the criminals, in the greater amount of freedom allowed, in certain cases prisoners being employed as orderlies, messengers, &c., without any direct control over their actions or movements during the whole day, and in the maintenance of the discipline of the prisons being almost entirely carried out by prisoners themselves.

6. The prisoners are, as a rule, natives of India, China, Ceylon, or the Archipelago, European prisoners being never detained in these Settlements for more than a limited period; and bearing this in mind it will not appear singular that an eminent authority on the subject, Dr. Mouatt, Inspector-General of Gaols, Lower Provinces, Bengal, should have spoken of the scrupulous cleanliness, perfect plan of conservancy, excellent order, well-regulated system of labour and punishment, and the high standard of health attained, as being unsurpassed in any other well-regulated institutions of the same kind that he was acquainted with in Europe or in Asia.

7. In this I fully concur; and I consider that though this system of management differs thus widely from that in force at home, the state of these prisons is not open to objection, nor susceptible of improvement in any material point.

8. I am sorry to say that I am cannot extend this opinion to the Colonial gaols, respecting which I have already reported to your Grace in my Despatch, No. 46, 26th March 1868, that the existence in the Straits Settlements of "the theory that the gaols in which persons awaiting trial or transportation after trial and sentence, as well as those confined on civil process, must be kept under the exclusive control of the court has led to the establishment of a third separate and complete prison establishment at each of the Settlements, the management of which is vested in the sheriff, and over which, as far as I can understand, the Governor only exercised any authority in virtue of his being a member of the court, and not as Governor," and that from my own observation I am able to state that, "as regards the safety, discipline, and treatment of the prisoners, these gaols are very inferior to the other establishments of the same kind in the Settlements, and with the view of effecting improvements in them, I have caused a bill to be prepared (copy of which I have the honour to enclose), and which gives the Governor requisite powers to deal with the offices of sheriff and deputy sheriff, and that complete authority and control over all prisoners which is necessary for their efficient management.

9. This bill is about to be taken into consideration by the Legislature, and on its being passed I trust I shall be able to introduce measures of reform into these gaols which will remove the causes of complaint that now exist against them.

I have, &c.

(Signed) H. ST. GEORGE ORD.

His Grace the Duke of Buckingham and Chandos,

&c.

&c.

&c.

EASTERN. SUMMARY of INFORMATION supplied by the Governor of the Straits Settlements, in answer to the Secretary of State's Despatch, No. 28, of 10th of July 1867.

IN each of the three Straits Settlements there is a *binary* criminal gaol, one division of which is the house of correction for local offenders, and the other a prison for convicts who have been transported from India, Hong Kong, and Ceylon.

The "transmarine convict gaols," that is, the gaols for the Indian transports, have been pronounced by Dr. Mouatt (Inspector General of Prisons, Lower Bengal), to be satisfactory in a sanitary way.

But it is only a small proportion of the convicts who are lodged in them. The greater number of the convicts are detached about the country, in what, in Mauritius, are called "*succursales*," that is, open lines of huts, like those used by sepoys. While living in lines the convicts of course are under no actual restraint, and under the supervision only of officers who are also convicts.

The kinds of labour in use for the convicts are various. Some of them are hired out into servitude to private employers; others (the majority, it is to be presumed,) are employed in road gangs. But all who show aptitude and intelligence are taken out of the road gang, and put into the "artificers' gang," where they are taught trades, such as tailoring and mat-making. Above the class of artificers is the class who are made petty officers in the gaols, with a small salary. In Singapore gaol there are 101 such criminal officers to three European (free) officers. On the same level as the class of "petty officers" is the class who are assistants in the store departments of the gaols. Above these two classes is the class who are employed in inferior situations in the Government offices, and as nurses in the public charities.

Sir Harry Ord says that the system of these gaols is capable of no improvement. No system could possibly make the prisoners work harder, and that is all he, as Governor of the Straits Settlements, has to look to.

The financial arrangements as to these gaols (it should be remembered) have hitherto been, that the Government of India pays the whole cost of them, and after taking one small part of the proceeds of the prisoners' labour,* leaves what remains to the Straits Government as a set-off against the cost of protecting a community which has a criminal population of unnatural dimensions. Sir Harry Ord, therefore, calls that system best which pays best.

Transportation from Ceylon is still in progress. Transportation from India and Hong Kong has been stopped, and it has been arranged with the Government of India that the Indian establishment is to be removed in 1873.

The discipline of the houses of correction appears to be of much the same character as the discipline of the convict gaols. It seems that long sentenced prisoners are as a rule transported to one of the presidencies of India.

Downing Street, October 1868.

COPY of a DESPATCH from the Right Honble. EARL GRANVILLE, K.G., to
Governor Sir H. ST. GEORGE ORD, R.E., C.B.

(No. 3.)

Sir,

Downing Street, December 1868.

* Page 78.

I HAVE received your Despatch, No. 101,* of the 2d of June 1868, in which you furnish me with the information respecting the prisons of the Straits Settlements which was called for by my predecessor's Despatch, No. 28, of the 10th of July 1867.

I transmit to you an analysis, which has been prepared in my department, of the returns furnished by you.

The system of discipline, as set forth in this analysis, is, as you admit in the body of your Despatch, at variance with the principles of management and discipline which a wide experience in other parts of the world has shown to be indispensable to the suppression of crime, and it is not one which, under ordinary circumstances, I should take on myself the responsibility of countenancing. However, when I consider that the bulk of the criminals in the Straits Settlements are Indian criminals, that it was the Indian Government which devised the present system, and that, moreover, the whole Indian establishment will shortly be removed, I do not see sufficient reason for directing any immediate change in a plan of management which, however inadequate to deter from crime, is approved by the Government charged with the punishment of the criminals, useful to the Colonial Government, humane to the convicts, and well administered on its principle, faulty as that principle must be considered.

While the indulgent system remains in force for the Indian convicts, it would be dangerous to introduce the more deterrent English system for the Colonial offenders. Any improvements you may make in the houses of correction should be such as will facilitate the introduction hereafter of a system more nearly approaching that of England, and not such as will necessitate the retention of the Indian system.

In the Duke of Buckingham's Despatch, No. 31, of the 20th of February, his Grace stated, that when he had your report on the prisons of the Colony before him he would be in a position to judge of the regulations in force in the Colony with regard to tickets of leave, which were enclosed in your Despatch of the 7th January 1868. I have now to

* The sums paid by private employers for prisoners who are hired out to them.

inform you, that I have considered these regulations, and that I see no reason to disprove them.

EASTERN.

Governor Sir H. St. George Ord, C.B., R.E.
&c. &c. &c.

I have, &c.,
(Signed)

GRANVILLE.

No. 29.

MAURITIUS.

COPY of a DESPATCH from Governor Sir HENRY BARKLY, K.C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 340.)

MY LORD DUKE,

Mauritius, December 31, 1867.

THE Circular Despatch of 18th June, covering a Digest of the information furnished as to Colonial Prisons, together with the further Despatch of the 26th of that month, in which your Grace invited my special attention to the present unsatisfactory state of the prisons in Mauritius, have not failed to engage my anxious attention.

2. It is not certainly surprising that your Grace's mind should have been vividly impressed with the graphic sketches given at pages 15-19 of the Digest, of the overcrowding and other evils of some of these establishments in this colony. I myself knew them to be far from perfect, but although the returns chiefly related to periods antecedent to my arrival I was quite unprepared for the state of things reported, and could by no means understand how it could in any way be borne out, until I discovered, on looking over the answers sent home with my Despatch of 4th October 1865, how imperfectly they had been in some instances filled up by the chairmen of the local prison committees, and under what misconceptions the compiler of the Digest in consequence laboured.

3. I am to blame doubtless for having forwarded the very voluminous returns in question without accompanying them with full explanations, but I was ignorant of the manner in which they were to be dealt with. I imagined that the system of prison management here in force, as well as the inadequacy of the accommodation, were already well understood at the Colonial Office through the annual Blue Book statements and other sources of information, and as I had no desire to extenuate deficiencies or to dwell on the improvement evident in the statements for the year 1864, which was the only one under my government, it seemed needless to attempt a detailed analysis, or to do more than refer generally to the various Minutes and Despatches I had written on the subject.

4. The effects of the errors and misconceptions alluded to in exaggerating the undeniable overcrowding of the gaols, particularly referred to by your Grace, can easily be shown. At Grand Port the magistrate, judging probably from rough measurements supplied by the gaoler in French feet, stated the nett capacity of all the wards at 27,300 cubic feet, thus allowing 273 feet for each of the 100 prisoners they were intended to contain. It will be seen, however, from the accompanying report of the Surveyor-General, that there is accommodation for 102 prisoners in the several wards, with an allowance of space varying from 288 to 308 cubic feet for each; and it results from Colonel Morrison's figures that the cubical contents of the whole amount to 31,522 cubic feet or nearly a sixth more than Mr. Dupuy's estimate.

5. But this correction is trifling compared with that which must be made with respect to the number of prisoners actually confined in this gaol, owing to the magistrate's answer not distinctly setting forth that the numbers given by him were totals for the district under his charge, and that a large proportion were lodged in three district stations at Ferney, Anse Jonchée, and Cluny, which he proceeds to mention.*

6. To render this clear I must explain that only one set of books is kept by each prison committee; the name, description, &c. of every prisoner being entered in the register of the central gaol of the district at the time of his committal, and remaining there until his discharge, notwithstanding he may be transferred during the greater portion of the interval to one of the camps or "succursales," as they are termed, provided by the Surveyor-General with a view to the prosecution of public works in outlying localities.

7. The "nightly lock-ups" quoted by the magistrate were therefore the aggregates

* Vide foot-note, page 11 of "Digest."

No. 29.
Mauritius.

EASTERN. for the whole district; and though sufficient data for distinguishing the numbers pertaining to each place of confinement have fortunately of late been preserved, it has been a work of great labour and difficulty for the inspector of prisons, after repeated communications with the magistrates, to compile the return now submitted for the years 1864, 1865, and 1866, which tallies so closely with the records of the Surveyor-General's office that it may, I believe, be accepted as thoroughly trustworthy.

8. From this return it will be seen that the average lock-up in the wards of the Grand Port prison, instead of 195, as inferred in the Digest, has been 103, 84, and 104 respectively in the years above named (those wards having been built to hold 102); that the maximum on any one night was not 531, the basis of the calculation in the Digest, but has been brought down from 161 in 1864, and 154 in 1865, to 115 in the ensuing year of the series—the first leaving close upon 200 cubic feet and the last 270 cubic feet per prisoner; figures differing very widely from the 40 feet of the Black Hole of Calcutta, adverted to in the Digest.

9. In other respects the comparison attempted between that terrible place of confinement and the most crowded prison in Mauritius can, I am glad to say, be no better sustained. After mention has been made of the Calcutta prison having two small open windows into the outer air (the fact that they were to leeward and overhung by the roof of a verandah being left unnoticed), it is assumed (on the strength of a remark by another magistrate as to a prison of totally different construction on the opposite side of the island) that at Grand Port the windows are closed at night, and the only "ventilation is by small apertures over the door opening into the entrance passage." Having frequently inspected the gaol in question, I am happy to be able to assure your Grace that no such "entrance passage" exists, and that there are large windows secured by iron bars in each of the wards, opening direct into the courtyard, which windows are never closed unless at the instance of the prisoners themselves, who often find the sea breeze chilly; for it must be remembered that the climate of Mauritius, even on the coast, is fully ten degrees colder than that to which most of the immigrants are accustomed, whereas, though the Digest makes no allusion to the fact, the vast majority of the 146 human beings "immured on a sultry night in the sultriest season of the year 'in the Black Hole of Calcutta' were Europeans to whose northern constitutions the oppressive climate of Bengal could scarcely be made supportable by the aid of every resource that art could supply, and several of them suffering from the effects of recent wounds."

10. I hope to be excused for having dwelt at so much length upon this passage in the Digest, but the picture it purported to exhibit of the state of things at Grand Port cannot fail to have excited most painful sensations in all who read it, and if I have succeeded, as I trust I have done, in proving to your Grace's satisfaction that it is distorted in its outlines as well as highly overcoloured, the necessity for correcting in detail other similar inaccuracies will in a great degree be obviated.

11. Suffice it to say, therefore, both in the case of Flacq and of Rivière du Rempart, that the size of the gaols will be found from the information given by Colonel Morrison to have been considerably understated, and that the average and maximum number of prisoners confined in them is much overstated; though I am sorry to observe as regards the former that, owing to an out-station having been given up in 1865, the number of prisoners became far larger than it ought to have been, whilst with respect to the main prison of the latter district it was at one time in the course of last year greatly overcrowded.

12. It must be borne in mind, however, that this overcrowding is only at night, the prisoners working outside the walls during the day; and that under the system at present pursued it can never last for long, the law empowering the Governor either to transfer prisoners from one gaol to another, or to proclaim any building in the district either a subsidiary prison or vagrant dépôt, as may appear expedient; whilst it is the duty of the magistrate to bring any excess in the number of prisoners at once to the notice of the Colonial Secretary, to whom monthly returns in the form annexed are likewise sent by the inspector of prisons.

13. The Digest indeed goes on to allege that the death-rates in two of the three prisons mentioned, viz., Grand Port and Flacq, are such as might be expected from the overcrowding assumed to exist therein. No attempt is made to account for the fact that in the third, that of Rivière du Rempart, the mortality was only 17 in five years, or about 3·5 per cent. on the average number of prisoners confined; nor that in other prisons managed under precisely the same regulations it was lower still. On the contrary, the reference to this part of the subject winds up with the assertion "that but for the shortness of the terms of imprisonment, and but for the days spent in out-door labour, the high diet and crowded nights would speedily exterminate the race of vagrants and criminals in Mauritius."

Vide answer to interrogations, No. VIII.

Vide Thornton's History of British India, Ch. IV. p. 193.

14. Seeing that, bad as matters were at Flacq and Grand Port during the five years referred to, the deaths at the former did not exceed 154 out of 10,358 committals, and at the latter 159 out of about the same number, it is not easy to understand how this could happen.

15. The facts, plainly stated, are that the rate of mortality amongst the Indian population during the years 1861, 1862, and 1863 was exceptionally heavy, not in the prisons only, but throughout the island, by reason of the prevalence, first of epidemic cholera, and then of Bombay fever. The number of deaths in Flacq Prison, which in 1860 had been only 12, rose suddenly to 24, 33, and in 1863 to 74; but they declined with even greater rapidity to 9 in 1864, 5 in 1865, and 8 in 1866, although during the last of these years the wards were on the average as full as during the quinquennial period in question! The explanations of the medical attendant at Grand Port Prison tell the same story; the number of deaths during the five years from 1857 to 1861 having been only 14, or an average mortality of 1·7 per cent., whereas it rose in 1862 to 48, and in 1863 to 71, declining slowly to 30 in 1864, to 11 in 1865, and to 7 in 1866.

16. This, I trust, will serve to convince your Grace that there were other causes at work to produce the high average mortality of the years selected than overcrowding or mismanagement; but if further evidence be wanting, I would beg to refer to the Reports on Prison Hospitals contributed to each annual Blue Book, by the chief medical officer of the colony, who is also the principal officer in medical charge of Her Majesty's troops. It so happens that during the four years for which I am personally responsible, as many changes in this department have occurred; Dr. Gordon, who was at the head of it on my arrival, having been succeeded by Dr. Currie, who again gave place to Dr. Taylor, and on his death to the present holder of the office, Dr. Reid. These gentlemen will be found one and all to have borne strong testimony to the satisfactory condition of the prison hospitals, and to the care and attention of the Government medical officers in each district by whom they are attended; and I submit that it is not conceivable that they would have sent in such reports if the lamentable state of things depicted in the Digest had had any foundation in reality.

17. The total mortality in every prison in the colony, including the Vagrant Dépôt, for each of the three years 1864, 1865, and 1866, together with the average lock-up, is set forth in the return which I enclose from the inspector of prisons. Though this exhibits, as I have already shown, great improvement as compared with the previous returns, the death-rate will doubtless in some cases appear high to those accustomed solely to the statistics of European gaols. It is not with such, however, I respectfully submit, that they ought to be contrasted, but rather with the gaols of India, for until it be proved that the slightly-built rice-eating Hindoo is as robust in constitution as the average Englishman, or that the expectation of life in the tropics is as great as in the temperate zone, it is surely unfair to judge the two by the same standard.

18. In urging this view of the case in his own defence, Dr. Finimore, of Grand Port, quotes from a report on the sanitary condition of Indian gaols, made in the year 1859 by Dr. J. Ewart of the Bengal Medical Service, a statement to the effect that out of every 1,000 able-bodied prisoners set to work on the roads no less than 159·30 died annually. I do not possess the work referred to, but I received at the same time with your Grace's Despatch under acknowledgment a copy of the Second Report of the Bengal Sanitary Commissioners, laid before the House of Commons on the 3d May 1867, which contains in Section III. full particulars as to the gaols of that presidency for the seven years 1859-65 inclusive.

19. The statements given show progressive improvement, and are considered by the able author of the report, Major Malleon, as on the whole highly satisfactory; but there can be no doubt that if dissected with the trenchant pen of the compiler of the Digest they could be made to disclose cases of overcrowding and excessive mortality which would throw into the shade those charged against this colony. In the Lucknow Central Prison, for example, the rate of mortality in 1865 was 177·93 per 1,000, and yet it is added "there were no deaths from cholera or contagious fever among the prisoners;" still in the face of averages in the same group of gaols going as low as 19·32 per 1,000 in the case of Meerut, it would obviously be illogical to charge this on the system of management, which is spoken of as identical.

20. Looking at the results as a whole, which is the only equitable method, it will be found that the gaols of Mauritius may claim favourable comparison with those of Bengal in point of healthiness, whether the last three years of each return or the latest year common to both, be selected. Excluding the Vagrant Dépôt, which partakes as much of the nature of a poorhouse and a hospital as of an ordinary place of confinement, the average mortality of the years 1864, 1865, and 1866 in the prisons of Mauritius was

Reports, p. 57.

EASTERN. 56·61 per 1,000 on the average of their inmates, against 71·23 per 1,000 in 1863, 1864, and 1865 in Bengal, or, if the year 1865 be taken, 52 in the 1,000 for this colony and 57·66 in the Presidency.

21. After this it seems scarcely necessary to enter into the questions raised in the Digest as to whether the long hours of rest and "high diet" endanger the health of the prisoners; these are points, I respectfully submit, in which, to use the words of Major Malleon, "European experience, however extended, can be of but little practical utility," and as to which a governor can only be safely guided by the advice of medical men practising in the colony, who, so far as I can ascertain, are most strongly of opinion that, taking into account the exhausting nature of labour performed under a tropical sun, and not forgetting also the shorter duration of daylight in the tropics, no diminution ought to be made in either respect.

22. I may add that having myself imbibed the impression, on first visiting the district prisons, that the discipline and regimen were not sufficiently deterrent, I seriously contemplated a reduction in the scale of diet, until I found from a pamphlet sent me by Sir William Denison from Madras, in which the subject of the dietaries of prisoners in Zillah gaols was specially investigated, that that in force here was by no means excessive in comparison. I still determined, however, to try an experiment on establishing the Vagrant Dépôt in 1864, and with the concurrence of the Executive Council ordered the annexed reduced scale to be adopted, but before it had been long in operation I was warned of its insufficiency by Dr. Gordon, and at his instance, and that of his successors, it has been by degrees assimilated as nearly as possible to the old prison standard.

23. Having thus, I venture to hope, successfully vindicated my administration from the grave imputations which could not have failed to rest upon it had the deductions of the Digest been well founded, I proceed to state, in as few words as possible, what I have done and what I purpose doing to reform the principal defects of the prison system of Mauritius, defects which I have never attempted to disguise, but have on the contrary been the first to proclaim on every suitable occasion.

24. They are summed up in the Digest under three heads, remedies being suggested for the case of each respectively. To show how thoroughly I appreciate the force of the objections thus urged, and concur as to the expediency of many of the measures suggested for their removal, I enclose copy of a minute written by me on the subject within a month of my landing in the colony, and by which my policy has subsequently been guided.

25. As regards the first defect, the overcrowding of the common prisons with mere vagrants, to the destruction of all discipline, the effect of the steps which I almost immediately took for its remedy by the establishment of the Grand River Vagrant Dépôt, where on the average about 400 of this class of prisoners have since been accommodated, though very satisfactory in the first instance, have been to a great extent neutralized by the progressive increase of crime. I was in consultation with the Surveyor-General as to hiring some suitable building for a second dépôt in the windward districts of the island, the financial position of the colony rendering it difficult to provide funds for the erection of one, when the late epidemic broke out and necessitated the employment of vagrant labour to a large extent in the cemeteries, &c. about Port Louis under merely temporary and provisional arrangements.

26. As this necessity is much diminishing, I have already opened a Vagrant Dépôt for 50 prisoners under charge of the police at Rivière Sèche in the Flacq district, and shall avail myself of the authority of Ordinance No. 4. of 1864 to establish others in convenient localities. As ample occupation can be provided on the roads or in sanitary works it is not necessary, as suggested in the Digest, "that plantations should be attached on which the vagrants should be taught to labour," a project which would be attended with very heavy expense. Industrial training may be important with European convicts, who are mostly the dregs of large cities, but it is quite needless in the case of men who with few exceptions were introduced into this colony as agricultural labourers.

27. The precautions adopted for the relief of the prisons have not, I need hardly say, been confined to the above; at the very commencement of the epidemic 200 prisoners were removed from Port Louis Gaol to Flat Island, where there is always work to be done in connection with its improvement as a quarantine station; and though on the withdrawal of the military and the subsidence of the fever in town it was deemed preferable to bring them back, I have lately despatched another similar band thither under charge of a detachment of police, so as to reduce the number in Port Louis Gaol to about 400, which is as many as it ought properly to hold.

28. The only other prisons greatly overcrowded at present are those at Flacq and

Enclosure 4.

Enclosure 5.

Grand River, to both of which I have authorized the Surveyor-General to make additions which will considerably increase the accommodation, and which he hopes to complete in the course of a few months. The former will be much relieved meanwhile by the new Vagrant Dépôt at Rivière Sèche, as well as by a succursale for the neighbouring district of Rivière du Rempart, which has just been established at the village of Poudre d'Or.

29. These, however, are but palliatives, and there can be no doubt that more and better prison accommodation is urgently needed, that the Central Penitentiary commenced in 1864 for 300 felons should be completed, and the two Reformatories since founded for juvenile offenders placed on a sufficient scale. It must be obvious on the other hand that the obstacles to the accomplishment of these objects have seriously augmented instead of diminishing since the date of my former Despatch; and though your Grace was not disposed to regard them as a justification for the state of things erroneously set forth in the Digest, I venture to hope that when the present critical position of the colony, with a revenue falling short, in spite of increased taxation, by upwards of 100,000*l.* of that of the last year, and an expenditure swollen by the outlay incidental to the still prevailing epidemic, has been taken into account, due allowance will be made for my reluctance to apply for the sanction of the legislature to incur the formidable debt which the fulfilment of these designs under present circumstances must inevitably entail.

30. From the accompanying report of the Surveyor-General it will be seen that the total cost of the works necessary to put the prison buildings of the colony on a proper footing would be 70,000*l.*, rather more than half the sum being required for the completion of the Penitentiary and for the erection of a new district prison for Rivière du Rempart, and the remainder for the enlargement and improvement of existing prisons; the latter includes a sum of 3,000*l.* already authorized to be spent on the prisons of Flacq and Black River.

31. Of course, if your Grace desires me to introduce a bill authorizing the raising of a loan for the purpose of meeting such an expenditure, the whole of these works shall be executed as speedily as possible; but I respectfully submit that the facts brought forward in this Despatch prove that there is no such crying necessity for the immediate completion of the whole, and that taking into account how materially the epidemic has thinned the ranks of the proletarian class, and that a system is about to be introduced of making the Immigration Dépôt in Port Louis a temporary receptacle for the unemployed, it is preferable to go on effecting such works gradually out of current revenue, taking care to procure hired accommodation from time to time so as to keep the numbers in each prison within the limits laid down in Colonel Morrison's report on their dimensions, herewith forwarded.

Vide Enclosure 1.

32. If this course be approved, the labours of the Public Works Department will be directed in the first place to preparing the rest of the stone wanted for the Penitentiary, which can be done almost entirely by prisoners, secondly to the erection of a new prison for the district of Rivière du Rempart, for which a vote of 5,000*l.* may, I think, be obtained without difficulty as soon as the alterations at Flacq and Black River, the cost of which will be defrayed out of savings on the Surveyor-General's estimates, are finished. In 1869, if the colonial revenue is in a sufficiently flourishing condition, from 12,000*l.* to 15,000*l.* can be devoted under Ordinance 35. of 1864 to pushing forward the actual erection of the Penitentiary, the boundary wall of which will, I think, be carried to its full height early in that year, so as to admit of a large number of prisoners being lodged in a camp within it, whilst a similar expenditure in 1870 will suffice to complete the buildings, leaving the improvements in the other district prisons to be subsequently dealt with as occasion may demand after the effects which the opening of the Penitentiary will have on the civil prison of Port Louis, which will no longer be occupied by felons, has been ascertained.

Enclosure 6.

33. With regard to the second defect pointed out in the Digest, that prison life is too easy, I have already, whilst stating my original concurrence in this view, alluded to some of the countervailing considerations; and I may add, that though on account of their existence the hours of labour have not been increased, nor the diet reduced, as therein recommended, the discipline has everywhere been rendered stricter than it was, the offenders of a deeper dye have not been allowed to work outside the walls, but, especially in Port Louis, made to perform shot-drill, whilst at the Vagrant Dépôt, under the supervision of the superintendent of police, the labour has become so much more efficient that it is a common thing when a gang of prisoners are applied for by the municipality, the railway engineer, &c., to stipulate that they should be from this establishment, especially if payment is to be exacted for their services.

34. This last result leads to the same conclusion as that arrived at in my minute of 1863, namely, that the best cure for the third evil dwelt on in the Digest, the govern-

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ment of the prisons by local committees, not subject to any central control, would be the abolition of these committees and the placing them under the charge of the Inspector-General of Police, who is directly responsible to the executive, and is represented by an inspector at the head quarters of every district.

35. There would then be no difficulty in maintaining³ conformity of practice, or in establishing any system of graduated probation, leading eventually to tickets-of-leave, that might be determined on, and it will be observed that so far as out-door labour is concerned the Surveyor-General is strongly in favour of such a transfer of authority. The drawbacks which have hitherto withheld me from proposing it are, that it might be attended with some additional expense, the prison committees giving their services gratuitously; that it would be distasteful to the feelings of the French population, who are accustomed to the prisons being under the control of a magistracy chiefly recruited from their own ranks, and regard the association with the magistrate of some of their own members as a sort of constitutional guarantee; thirdly, that it would be almost impossible to make any exception as to the civil prisons of Port Louis, which from time immemorial have been under the Procureur-General, the dignity of whose office is intimately blended with the old functions of the Ministère Public.

36. The plan of management advocated in the Digest indeed points to an increase of the powers of the present Procureur-General over all the prisons of the colony, to be exercised apparently through a sufficient number of government inspectors; but it would, I believe, be impossible for the former functionary to spare time for looking after the minutiae of discipline of the district prisons, whilst the creation of a large staff of officials to travel constantly about the country and see that the gaolers did their duty would be attended with very heavy expense.

37. In my opinion the most practicable scheme would be to make the Inspector-General of Police Inspector of Prisons also, the present head officer of Port Louis Gaol, who bears that title, being made Deputy Inspector under him, and occupying precisely the same relation towards his chief as the Superintendent of Police now does in matters pertaining to that department.

38. This would remove the technical objection pointed out in the Digest, when it is said that in Port Louis the head "gaoler inspects himself," a remark indeed more epigrammatic than just, even as regards the existing arrangement, considering that the chambers of the Procureur-General look down into the gaol-yard, and that, as elsewhere abroad, that officer, as chairman of the prison committee, has the almost exclusive control.

39. Believing, as experience has taught me to do, that no effectual improvement in the system of prison management and discipline will be effected in Mauritius until the change thus indicated can be accomplished, I have instructed the Acting Procureur-General to frame an ordinance for the repeal of No. 31. of 1858, and the introduction of provisions resembling as closely as may be the Imperial model enclosed for my guidance, and I hope shortly to be in a position to submit the measure for your Grace's approval.

40. In the meantime my best attention shall be directed to keeping the existing prisons as free from overcrowding as practicable.

I have, &c.

(Signed) HENRY BARKLY.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Enclosure 1.

REPORT ON PRISONS and EMPLOYMENT of PRISON LABOUR.

(No. $\frac{A}{290}$.)

SIR,

Surveyor-General's Office, December 3, 1867.

1. WITH reference to your letter $\frac{D}{238}$, dated 11th September last, I have the honour to submit for his Excellency's information the following observations upon the subjects alluded to in the several paragraphs of that letter.

Par. I.

(1.) Mode of Employment of Prisoners.

2. The labour of those prisoners who may have been sentenced to imprisonment with hard labour is employed in the execution of public works, and the maintenance of portions of the main roads within a range of three to four miles from the district prisons.

3. In various cases private buildings have been occupied, under authority of the Governor's pro-

clamation, as temporary prisons, the prison labour being employed as before stated, or in the repair of "branch roads," which class of roads, under the Road Ordinance No. 33. of 1858, is supposed to be made and maintained at the joint and equal expense of the Government and the district.

4. Prison labour is also occasionally employed in the repair of a third class of roads, styled "public roads," that is to say, roads over which the public may claim a right of way, but which roads are supposed to be kept in order solely by those who might be locally interested in their proper maintenance.

5. Prison labour is sometimes used for clearing rivers, churchyards, and cemeteries; and during the recent epidemic the services of the prisoners were found most useful in digging graves, when no other labour could at times be obtained, or when that which was procured was unable to work with the rapidity which the dreadful necessities of the time required.

(2.) *Regulations with regard to Prison Labour, &c.*

6. The regulations are contained in Ordinance No. 31. of 1858, and in the Governor's proclamation dated 22d November 1859, and the additional regulations dated 19th March 1866.

7. The prisoners are employed from 6 a.m. to 5 p.m. from April to September, and from 5½ a.m. to 5 p.m. in the remaining months of the year; one hour during each such time being allowed for breakfast.

8. Inside the prison walls the Surveyor-General has no control over the prisoners. Each morning a certain number are set apart by the gaoler for cooks, sweepers, prison servants, hospital attendants, &c. &c., others as reporting themselves sick, waiting for trial, or as not sentenced to hard labour, &c., and the remainder fit for work are then told off into working parties by the overseer of prisoners, and marched off to their respective destinations.

9. In the districts the prisoners are in charge of a prison committee, composed partly of Government officers—viz., the district and stipendiary magistrates, the Inspector of Police, and the District Medical Officer—and partly of private parties living in the district.

10. In my opinion the existence and control of the prison committee is altogether a mistake. As a rule gratuitous assistance is but of little value. Again and again private members are absent from the meetings of the committee, and frequently a quorum cannot be formed, and as they give their time gratuitously to the public service, the latter must at all times be dependent upon their convenience; any remonstrance on the part of the authorities with regard to negligence in attendance would naturally be either disregarded by persons wholly independent of the Government, or be followed by their resignation.

11. As a general rule committees merely enable direct responsibility to be avoided, and from their composition the superintendence of the prison committees never could be of the same practical utility as that of a single officer directly responsible to the Government. As far back as 29th December 1863 (^A₃₆₃) I recommended the abolition of these prison committees, and my experience since that date of their working has only strengthened my opinion as to the propriety of the course I then suggested.

12. The amount of work usually performed by the prisoners is by no means satisfactory; the guards are appointed by, and responsible to, the prison committees, and such guards are generally a lot of most idle and useless creoles, without any education, and unable to keep any check over the work of the prisoners.

The Surveyor-General is simply obliged to accept such task as may be given; he cannot punish the guards for neglect of duty, or for not making the prisoners work properly; and to be constantly making reports to the prison committees, waiting for their meetings, discussions of complaints, and final decisions, the offending guards being all the time employed, would occupy far more time than he could give to such correspondence, or than might be rewarded by any equivalent result.

13. I believe that a much better class of guards, at one half the cost, might be obtained from amongst good road Sirdars, and that under a different system the value of the prison labour might be very much increased. At the same time, if prisoners are to be *profitably* employed at out-door labour, one method of punishment must be abolished,—I mean that of cutting the prisoners' rations, for it is quite impossible to expect a half-fed man to give a proper task.

14. When at work under a single guard a band of prisoners is not allowed to exceed 10, but if two or more guards are present upon the same work each guard is allowed to have charge of 15 prisoners. This arrangement tends to reduce very much the value of the prisoners' labour, for if it be necessary and sufficient to send two or three prisoners to a distance of 100 yards for any particular purpose, the whole band of 10 or 15 of which the guard may be in charge must go together; if employed by *himself* the guard cannot separate his 10 prisoners, if employed with other guards *they* must not take charge of more than their authorized number of 15 each. Of course a remedy to a great extent might be found in increasing the number of guards, and yet not increasing the expense, as mentioned in the previous paragraph.

15. At the Vagrant Dépôt 20 vagrants are placed in charge of a constable when employed upon out-door work, but the discipline of the police force makes the constable or non-commissioned officer in charge a very different sort of guard from him who is appointed by, and responsible to, a prison committee.

(3.) *Number and Accommodation of Temporary Prisons, &c.*

16. In the district of Grand Port there are 4 temporary prisons; viz.—

That at Bamboux, proclaimed on the 1st May 1866.

Those of Cluny, Anse Jonché, and Ferney, on the 20th November 1863.

In the district of Flacq, 3 buildings near the 18th mile mark, proclaimed on the 20th November 1863.

In the district of Savanne, 2 buildings at Bel Ombre, proclaimed on the 15th April 1864.

In the district of Moka, 14 huts near the District Court House, proclaimed on the 13th May 1864.

EASTERN.

17. RETURN of the NUMBER of PRISONERS who have been confined in TEMPORARY PRISONS in the Districts of SAVANNE, FLACQ, GRAND PORT, and PLAINES WILHEMS, during the Years 1864, 1865, and 1866.

Month.	SAVANNE. (Bel Ombre.)			FLACQ. (Haut de Flacq.)		GRAND PORT. (Cluny, Anse Jonché, Ferney, Bamboux.)			PLAINES WILHEMS. (Transferred to temporary Prison, Moka.)
	1864.	1865.	1866.	1864.	1865.	1864.	1865.	1866.	1866.
January -	-	34	43	50	50	115	16	16	—
February -	-	29	43	50	50	103	20	52	—
March -	-	33	44	50	50	80	20	85	84
April -	41	23	44	50	50	72	20	78	72
May -	50	26	44	50	-	77	20	79	72
June -	57	33	44	50	-	42	20	94	72
July -	56	-	45	50	-	18	20	91	76
August -	60	-	44	50	-	20	20	121	63
September -	54	43	44	50	-	20	20	105	65
October -	56	41	45	50	-	20	20	130	68
November -	43	44	44	50	-	20	20	127	69
December -	34	45	44	50	-	16	20	110	48

The foregoing numbers of prisoners would be included in the total occupation of the District Prisons as given in the monthly returns of the District Magistrates.

Par. II.

18. In reference to the new prison at Poudre d'Or I would observe as follows:—

19. The erection of a district prison at Poudre d'Or for 150 prisoners, and for which 3,000*l.* were provided on account in the annual estimates of 1863, was commenced on the 29th May 1863, and an expenditure amounting to 1,485*l.* 9*s.* 9½*d.* was incurred in that year; the works were continued until the 26th March 1864, when the original design was changed, and it was determined to erect a Penitentiary.

20. At the close of 1864 the amount of 2,808*l.* 15*s.* 7*d.* had been expended in the purchase of tools and the erection of the buildings at the entrance of the prison, viz., committee room, office, provision and tool stores, guard room, and entrance gateway.

21. By Ordinance 35 of 1864 a sum of 36,000*l.* (exclusive of the amount already expended) was sanctioned for the erection of a Penitentiary for 300 male felons, with quarters for inspector and assistant inspector, inspector's office, hospital for 36 patients, surgery, attendants' quarters, storeroom, workshed, and other requisite out-buildings, quarters for 6 guards, &c.

22. During the years 1865–66 there were expended 3,721*l.* in purchase of tools and materials, in the erection of a working shed 55' 6" × 22' × 10', and for labour in quarrying, cutting, and transporting stone; and the following materials are now on the ground,—

No. 4,898 picked libages.
 „ 336 wro^t quoins, 2 feet in length.
 „ 109 wro^t quoins, 1 foot 6 inches in length.
 „ 2,360 9-inch rough moellons.
 „ 2,970 8-inch „
 „ 3,729 6-inch „
 „ 68 pieces of 9-inch bond stones.
 „ 15,229 feet run ashlar, 12" × 12".
 „ 565 „ „ 12" × 9".
 „ 37,719 „ „ 12" × 6".
 „ 495 „ „ 9" × 6".
 „ 420 „ „ 9-inch plinth.
 „ 300 „ „ paving stones.
 „ 20,847 stock bricks.
 „ 39,893 teak shingles.
 „ 4 sashes and frames.

Besides some small quantity of deal boards, and other petty articles.

23. In January last the works were again stopped in accordance with Government Order No. 182, dated 16/1/67. EASTERN.

24. About 32,279% will be required to complete the Penitentiary, and the execution of the works would occupy three years.

Par. III.

Enlargement of existing District Prisons.

25. The cost of enlarging the district prisons (except that of Rivière du Rempart), and the accommodation thereby obtained, allowing 500 cubic feet to each prisoner, would be as follows:

	Cost of Alteration.	No. of Prisoners.	Superficial Space per Prisoner.
			Feet. Inches.
Savanne -	£ 1,876 0 0	135	23 9
Mahebourg -	2,920 0 0	153	27 8
Plaines Wilhems	3,350 0 0	184	25 0
Black River -	775 0 0	72	29 4
Pamplemousses -	4,600 0 0	297	25 0 to 28 0
Flacq -	2,200 0 0	87	27 9
	£ 15,721 0 0		

26. Such amount does not include the cost of the reconstruction of the hospitals, for which there is no proper site within the boundary walls of the prison at Savanne, Mahebourg, Plaines Wilhems, Black River, and Flacq.

27. The Hospital at Powder Mills might be enlarged within the hospital ground. In the erection of hospital accommodation for the foregoing 6 prisons a sum of 17,000% would be required.

28. The prison accommodation for the district of Rivière du Rempart consists of the permanent prison near the District Court House at Poudre d'Or and the reserve prison at Mapou.

In my report ^A/₁₂₅ on L.R. 509 of 1862 I reported upon the state of the latter, and any improvement that could be made must be preceded by pulling down and removing all the existing buildings.

The site is, however, too limited to erect thereon a proper district prison, and water is to be obtained only at a considerable distance.

29. The permanent prison near the Court House consists of a single room 27½ feet in length, 12 feet 10 inches in width, and 12½ feet average in height, with a mud floor, and some boards laid down thereon upon which the prisoners sleep, affording accommodation for 9 prisoners, allowing 500 cubic feet and about 37 feet super (deducting flooring near door opening) to each prisoner.

30. This prison could not be enlarged in any satisfactory manner, and to build another, say for 70 prisoners (not felons), for the district would involve an outlay of about 4,000%.

31. The total cost of the works necessary for prison buildings would be as follows:

Completion of Penitentiary -	£ 32,279
Enlargement of existing prisons to afford 50 per cent. more accommodation } than at present, allowing cubic and superficial space as mentioned in par. 25. }	15,721
Construction and improvements of Hospitals -	17,000
Erection of prison for district of Rivière du Rempart -	5,000
	£ 70,000

Par. IV.

32. The only buildings that I have been able to find at present which might serve for vagrants' dépôts are those alluded to in my letter ^A/₂₇₆ dated 23d ultimo.

I have, &c.

To the Honourable
The Colonial Secretary,
&c. &c. &c.

(Signed) W. L. MORRISON,
Surveyor-General.

EASTERN.

NUMBER of PRISONERS, allowing Two Feet Lineal of BED BOARD to each PRISONER.

Ward.	Number of Prisoners.	Cubic Space per Prisoner.	Ward.	Number of Prisoners.	Cubic Space per Prisoner.
SAVANNE.			BLACK RIVER.		
1	40	487	1	9	511
2	20	476	2	15	473
3	10	438	3	12	482
4	10	438	4	12	482
5	10	589	TOTAL - 48 Prisoners.		
TOTAL - 90 Prisoners.			POWDER MILLS.		
MAHEBOURG.			1	41	426
1	22	301	2	40	437 $\frac{37}{40}$
2	32	294	3	21	520 $\frac{12}{21}$
3	15	308	4		517 $\frac{12}{50}$
4	33	288	5	32	355 $\frac{1}{2}$
TOTAL - 102 Prisoners.			Debtors.	14	317 $\frac{9}{14}$
PLAINES WILHEMS.			TOTAL - 198 Prisoners.		
1	27	315	FLACQ.		
2	27	315	1	8	530
3	27	315	2	15	544 $\frac{1}{5}$
4	27	315	3	15	544 $\frac{1}{5}$
5	15	360	4	20	286
TOTAL - 123 Prisoners.			TOTAL - 58 Prisoners.		

Enclosure 2.

EASTERN.

RETURN of PRISONERS locked up in each of the MAIN DISTRICT PRISONS and SUCCURSALES in MAURITIUS during the Years 1864, 1865, and 1866, as compiled from Returns prepared by the Chairmen of the Prison Committees and the Surveyor-General.

DISTRICT.	Where locked up.	Average daily lock-up.			Total Number of Deaths.			Maximum Number of Prisoners locked up.			Minimum Number of Prisoners locked up.			Remarks.
		1864.	1865.	1866.	1864.	1865.	1866.	1864.	1865.	1866.	1864.	1865.	1866.	
Port Louis -	District Prison -	682	562	686	4	1	2	916	659	791	537	472	562	
	Flat Island -	47	46	58	-	-	-	50	50	60	42	41	20	
	Hospital Wards -	18	18	33	31	22	28	31	30	57	6	10	15	
Mplemousses -	Powder Mills Prison -	304	241	243	-	-	-	381	308	338	240	192	178	
	Hospital Wards -	13	14	21	23	14	22	24	23	43	5	8	9	
vière du Rempart -	District Prison -	63	30	63	-	-	-	89	74	127	47	9	22	
	Hospital Wards -	4	4	4	4	1	2	6	6	6	1	1	1	
	Poudre d'Or -	40	40	40	-	-	-	40	40	40	40	40	40	
Flacq -	District Prison -	115	147	218	-	-	-	252	264	285	63	92	108	
	Hospital Wards -	7	7	8	9	5	8	17	16	14	1	2	2	
	Haut de Flacq -	50	15	-	-	-	-	50	15	-	50	15	-	
Grand Port -	District Prison -	103	84	104	-	-	-	161	154	115	71	55	59	
	Hospital Wards -	8	6	6	30	11	7	14	10	8	1	2	2	
	Ferney -	50	23	74	-	-	-	115	23	130	16	16	16	
	Anse Jonchée -													
	Bambou -													
Cluny -	Cluny -													
avanne -	District Prison -	92	77	95	-	-	-	98	131	80	69	62	70	
	Hospital Wards -	4	5	6	5	5	13	71	46	47	31	20	36	
	Bel Ombre -	44	35	44	-	-	-							
Black River -	District Prison -	68	44	97	-	-	-	101	75	155	37	24	52	
	Hospital Wards -	1	1	3	2	1	2	4	6	7	-	-	-	
Plaines Wilhems -	District Prison -	196	172	69	-	-	-	217	261	291	99	117	88	
	Hospital Wards -	15	18	21	23	26	10	32	25	39	5	8	6	
	Moka -	-	-	80	-	-	3	-	-	83	-	-	75	
TOTAL		1,924	1,589	1,973	131	86	97							
Vagrant Dépôt.														
Port Louis -	Vagrant Dépôt -	279	377	361	2	1	1	402	509	501	194	242	216	
	Hospital Wards -	-	21	22	48	53	33	-	30	36	-	13	10	
	Reformatory -	-	20	30	-	-	-	-	28	53	-	11	14	
	Accidents -	-	-	-	2	-	1	-	-	-	-	-	-	
TOTAL VAGRANT DÉPÔT		279	418	413	52	54	35							
Add as above.—GRAND TOTAL		2,203	2,007	2,386	183	140	132							

J. DEMPSEY,
Inspector of Prisons.

Port Louis, 29th November 1867.

Enclosure 3.
Prison Return for the Month of 186

DISTRICTS.	NUMBER																				REMARKS.				
	In Prison on (a).	Total.	Admitted during the Month.	Total.	Discharged during the Month.	Total.	In Prison on (b).	Total.	Condemned by District Magistrate during the Month.	Condemned by Stipendiary Magistrate during the Month.	Of Debtors committed during the Month.	Of Females committed during the Month.	Of Juvenile Offenders committed during the Month.	Condemned to one Month and more.	Condemned to less than one Month.	Remanded for further trial.	Of Escapes during the Month.	Of Recaptures during the Month.	HOSPITAL.						
	E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.		E. C. I.	In Hospital on (a).	Admitted during the Month.	Discharged during the Month.	Of Deaths during the Month.	Remaining in Hospital on (b).	
Port Louis	-																								
Pamplémousses	-																								
Rivière du Rempart	-																								
Flacq	-																								
Grand Port	-																								
Savanne	-																								
Black River	-																								
Plaines Wilhems	-																								
Vagrant Dépôt	-																								
TOTAL	-																								

(a) The first day of the current month.

(b) The last day of the current month.

Enclosure 4.

EASTERN.

EXTRACT from the REGULATIONS for the DEPÔT for VAGRANT PRISONERS.

10. The diet of the prisoners, on every day except on Sundays, shall be 22 oz. of rice and $\frac{1}{4}$ oz. of salt daily, with 1 lb. 8 oz. of wood for cooking.

Any prisoner certified by the medical officer of the depôt to be weakly shall receive in addition 2 oz. of salt fish.

A list of all such prisoners shall be made up daily, and certified by the chief officer at the depôt.

On Sunday each prisoner shall receive 20 oz. of rice and 2 oz. of dhol or green bredes, with salt and wood as above.

11. The rations shall be served to the prisoners in two meals, viz.,

Breakfast and supper.—Their breakfast shall consist of 10 oz. of rice with $\frac{1}{4}$ oz. of salt, and shall be served to them at 9 o'clock A.M., one hour being allowed from labour for them to eat it.

The supper meal shall be served to them at 5 $\frac{1}{2}$ o'clock P.M., or as soon as they have completed their evening's ablutions, and shall consist of the remainder of the day's ration.

12. No prisoner shall give any portion of his day's ration to any other prisoner, or retain any portion of it in his own possession after the meal hour, but shall return any surplus that he does not require for his meal to the officer in charge of the distribution of it.

This surplus may be given by the senior depôt officer present amongst such prisoners as may have shown greater willingness or made greater exertions in performing their day's labour.

Enclosure 5.

MEMORANDUM for the COLONIAL SECRETARY.

1. The account given in these confidential reports from the police inspectors of the present state of prison discipline is a most alarming one, but it seems substantiated by too many facts within the knowledge of the Government, and too probable, under the circumstances, to be considered exaggerated.

2. Remedial measures must immediately be adopted, and though none can be complete and effectual until the district prisons are enlarged, and improved means for classifying prisoners and carrying out discipline provided, steps may be taken and regulations framed with a view to some improvement.

3. In the first place, it strikes me, that in a small island like this, and with a police force costing nearly 50,000% per annum, it cannot be requisite to keep up a separate staff of prison guards under sergeants and corporals, all paid on the scale of 1st class European constables, to look after the prisoners when working outside the precincts of the gaol.

4. Such a mode of working is no doubt conducive to the health of the prisoners, and to the progress of public works, even if it were not absolutely necessitated by the insufficiency of the sleeping accommodation in the existing prisons, which, even when thus relieved of a half of those under sentences, are too overcrowded to be healthy.

5. But at the same time it is clear that strict discipline should be enforced, and that if prisoners escape, immediate information should be circulated through the district, and these objects would be far better attained by employing the police for the duty.

6. An overseer from the Surveyor-General's department might accompany each party to direct and superintend the work.

7. A convenient lock-up ought to be attached to every police station, and as far as practicable the working parties should be so arranged that the prisoners might be locked up there at night, instead of sleeping in the camps of the Surveyor-General.

8. The district prisons might at the same time be put under the charge of the Inspector-General of Police, acting through the District Inspector, the Prisons Committees being discontinued, and the District Magistrate required as visiting justice to report periodically to the Executive, and to inquire into and punish all breaches of prison discipline. The doctor in like manner would communicate directly with the chief medical officer on all sanitary matters.

9. These changes cannot be fully carried out until a new vagrant law is passed, and the opportunity taken to amend No. 31. of 1858 relating to prison discipline; but in the meanwhile a Circular should be addressed to the Prisons Committees, stating that my attention has been attracted to the very unsatisfactory state of discipline among the prisoners both working within and without the walls of the district prisons, and that it is my anxious desire that a better system should at once be introduced. That to this end,

10. The names of all prisoners committed for desertion, vagrancy, &c. by the stipendiary magistrate shall be entered in a separate register, consecutive numbers, running from 1 to 500, being placed opposite each name in the margin.

11. Such prisoners shall be so far classified, that while detained within the gaol they shall be put to sleep in a separate ward or wards, and not with the other prisoners.

12. No such prisoner who has made his escape, or attempted to do so, or committed any other serious offence while included in any working party, shall be allowed to work outside the gaol.

13. Such prisoners alone as are entered in the separate register, and not disqualified as above, shall be included in any party sent to work at such a distance from the gaol that it cannot be brought back to it daily by 5 P.M.

14. Every prisoner included in any such working party shall, with a view to the immediate reporting of his escape, wear a badge with the distinguishing number which stands opposite to his name in the register.

15. Prisoners sentenced by the District Court for robbery, larceny, &c. may be worked at a short distance from the gaol, returning in every case by 5 P.M., but they shall not so work unless the inspector of police for the district shall, upon requisition, have attached a police constable to the party in addition to the usual prison guard.

16. No new prison guards shall be appointed, and none shall be retained in the service who have been dismissed from the police force, or whose character is not unexceptionable, or who cannot at least read.

EASTERN.

17. In the event of the full number of prison guards sanctioned for any gaol in the estimates of 1864 not having been yet appointed, application shall in case of necessity be made to the inspector for such number of police constables as may be needed to supply the place of guards.

18. Not less than two guards shall be sent out in charge of any working party, an extra guard being added for every ten prisoners above the number of 20.

19. Prisoners shall not be sent to fetch any article, even for prison use, unless accompanied by the requisite guard, and no prisoner shall on any pretext whatever be employed as a messenger.

20. No prisoner shall be employed as a gatekeeper or be entrusted with the keys.

21. The prisoners on returning to gaol every evening shall be searched by the gaoler or turnkey before being locked up for the night.

22. A watch shall be kept by the officers of the gaol successively from 6 P.M. to 6 A.M. every night. If none are available for this duty, application may be forthwith addressed to Colonial Secretary for permission to employ watchmen, or get aid from the police for the purpose.

23. If any prisoner escape, any contraband article be introduced, or any infringement take place of the foregoing regulations, the gaoler, turnkey, or guard implicated shall be forthwith removed from the public service.

24. The only remaining point is the dietary scale, but as that is fixed on the same basis as was recommended for the Port Louis gaol by the Chief Medical Officer, I should not like to alter it without consulting both Dr. Gordon and the Procureur-General.

25. If I understand aright, moreover, it is not applicable to prisoners sentenced to a month's confinement or under, and would not, therefore, affect most of those committed for infractions of the Immigration Law.

26. Such prisoners, working and residing out of gaol, cannot require extra nourishment, and ought not on moral grounds to be put on a better footing than immigrants receiving rations from a proprietor, and this must be made clear in the Circular that they are entitled to neither beef nor fish.

27. Directions should be given also to stop the practice which prevails of prisoners finishing their own tasks at an early hour, with a view to help others to get through their work, in exchange for a share of their rations; for the effect is clearly to deprive those of food who most need it, and give it to those who are already the strongest.

24/12/63.

(Signed) H. B.

Enclosure 6.

SURVEYOR-GENERAL to COLONIAL SECRETARY.

(No. $\frac{A}{298}$.)*Alterations to District Prisons at Black River and Flacq.*

SIR,

Surveyor-General's Office, December 7, 1867.

I HAVE the honour to submit the following observations for the consideration of his Excellency the Governor in reference to Government Order No. 5061.

On the bulk sum of 8,000*l.* allowed for the incidental items for the current year I can make a saving of about 1,200*l.*, and I would suggest that materials to that amount should be at once purchased in aid of the alterations proposed to the district prisons at Black River and Flacq, the amount required, therefore, for the former being 775*l.*, and for the latter 2,200*l.*, total of 2,975*l.*, or say 3,000*l.* in round numbers. Deducting therefrom the value of the materials proposed to be purchased this year, there would remain a balance of 1,800*l.* for expenditure next year, which I would propose to charge to the bulk sum of 8,230*l.* provided in estimate No. 13. of 1868, for the incidental items from 17 to 52 inclusive, and with care and attention I doubt not that such balance might be thus obtained.

The plans might be prepared at once, and the alterations commenced as early as possible after the new year.

There would then be the prison accommodation at Black River district prison for 72 prisoners, and in the meantime I will try and obtain a building to contain 40 or 50 prisoners as directed by his Excellency.

The accommodation of Flacq district prison after the alterations would be for 87 prisoners, and in the meantime I would propose to take Mr. Brue's building, which was formerly used as a hospital, and which he is willing to lease to the Government for 6*l.* a month, as a temporary prison.

This building would hold 44 prisoners, and if a few pounds be required to make some repairs the amount might be charged to item 52, estimate No. 13, of the current year's estimate, "Prisons in Districts," if Mr. Brue be unwilling to incur the expense.

The accommodation in the Flacq district would then be:

At the district prison	-	-	-	-	87 prisoners.
Mr. Brue's building,	-	-	-	-	44 "
River Sèche	-	-	-	-	50 "

I have, &c.

The Honourable
The Colonial Secretary.

(Signed) W. L. MORRISON,
Surveyor-General.

SURVEYOR-GENERAL to COLONIAL SECRETARY.

(No. $\frac{A}{502}$.)*Purchase of Material for the District Prisons of Black River and Flacq.*

SIR,

Surveyor-General's Office, December 16, 1867.

WITH reference to Government Order No. 5171, I have the honour to state for his Excellency's information that the amount of 1,200*l.* will be a saving upon the reduced amount allowed to me for expenditure during the year on the incidental items, and that there will be no necessity to take any vote of Council therefor.

The accommodation of No. 4 ward at Flacq gives 20 prisoners at 286 cubic feet each, because in this cell there is an upper tier of guard bed, which if taken away would alter the accommodation to 10 prisoners at 572 cubic feet each, thus making accommodation for 48 prisoners only in the prison. The alterations are intended to afford accommodation for 87 prisoners, or a real difference of 39 prisoners, at 500 cubic feet.

Under these circumstances his Excellency might perhaps deem it expedient that I should be authorized to purchase as much material as possible, out of the saving above mentioned, for the district prisons of Black River and Flacq.

The Honourable
The Colonial Secretary.

I have, &c.
(Signed) W. L. MORRISON,
Surveyor-General.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor Sir H. BARKLY, K.C.B.

(No. 226.)

SIR,

Downing Street, July 29, 1868.

I HAVE had under my consideration your Despatch, No. 340*, of 31st December last, respecting the state of the Mauritius prisons, as described in the Digest of Prison Reports printed for Parliament in 1867. * Page 81.

You enter into very full explanations with the object of showing that the very shocking account of the Mauritius prisons given in that report is much too highly coloured. I shall cause a copy of your Despatch to be laid before Parliament with other papers on the subject. But I think it also due to yourself, and to the island of Mauritius, to state the opinion which I have formed.

The three principal points to which your Despatch refers are the diet of the prisoners, the space allowed in certain prisons, and their ventilation.

With regard to the diet I fully admit that you were bound to defer to the opinions which you obtained from the medical authorities, who would seem to have been of opinion that the existing scale was a proper one; but I am, nevertheless, inclined to think that the prisoners are overfed, and that experiments should be made in the way of moderate and gradual reduction.

With regard to space and ventilation, the most striking of the charges against the Mauritius prisons are embodied in a parallel which is drawn in the Digest between certain of them and the Black Hole at Calcutta. The object of your Despatch is to remove the impression resulting from that parallel.

After describing the superficial and cubical space allotted to each individual in different prisons and under different circumstances, the Digest states that while the Calcutta prison had two small open windows into the outer air, the windows of the Mauritius prisons are closed at night, and the only ventilation is by small apertures over the door, opening apparently into the entrance passage.

This it appears is not the case, the Mauritius prisons having large barred windows always open, except when the prisoners find it too cold, and request that they may be closed. On this point therefore the Digest is in error.

With regard to the space it does not clearly appear from your Despatch that the statements of the Digest are exaggerated as regards the state of the prisons prior to improvements made during your administration, which commenced in December 1863. They would seem not to be so, unless, as I rather infer from parts of the correspondence on this subject, the practice of putting a certain proportion of prisoners outside the prison while employed on roads or other public works had grown up before 1863. But an erroneous impression was doubtless produced when conclusions drawn from the year 1860 and the three following years are applied to 1864, the cubical feet actually allowed in that year being, in one of the different cases alleged, three times as much, in others twice as much, in others half as much again, as the amount of space stated in the Digest. I am bound to observe, however, that this error is due, not to the inaccuracy of the compiler, but to the imperfections or ambiguity of the returns furnished by the Mauritius magistrates. I must also remark that the space actually allowed, though much more than what has been stated, is still lamentably short of what it ought to be; and in Flacq prison the crowding of prisoners appears to have increased since 1864, till in 1866 it was almost exactly what it is represented to be in the Digest.

With regard to the death-rates in the Mauritius prisons I am not prepared to express a judgment. I am glad to see that they are decreasing. At the same time I am not prepared to admit the force of a comparison with the gaols of India, in which the death-rate was considered by the Government of that country to call for serious inquiry.

I have, &c.

(Signed)

BUCKINGHAM AND CHANDOS.

NORTH AMERICAN.

No. 30.

PRINCE EDWARD ISLAND.

No. 30.
Prince
Edward
Island.

COPY of a DESPATCH from Lieutenant Governor DUNDAS to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 60.)

MY LORD DUKE,

Government House, June 3, 1868.

1. IN my Despatch, No. 54, of 21st June 1865, I forwarded to Mr. Cardwell answers to certain interrogatories respecting prison discipline, and I stated that I had directed the attention of my Council to the numerous and serious defects in the gaols of this island.

2. With the view of ascertaining how far improvements had been made during the years which have since elapsed, I directed in December last the replies, which had been furnished in 1865, to be returned to the various officers who replied to them at that time, with a request that they would report whether the state of the gaols was the same as it was at the time of their former replies, or what improvements had since been made.

3. I now forward a copy of the replies which have been furnished to me, from which your Grace will perceive that scarcely any improvements have been made.

4. I also forward copy of a memorandum* which I addressed to my Council in February last, when transmitting to them a copy of these replies and of other papers respecting the gaols. * Not printed.

5. I do not think it necessary to trouble your Grace on the present occasion with the numerous defects in the prisons and prison discipline, for which the local authorities are responsible. There is, however, one case which has for several years engaged my attention, and which I think it my duty to bring under your Grace's notice.

6. The case is that of William Young, who had sentence of death recorded against him, in 1861, for arson. I commuted his sentence to imprisonment for life, on the recommendation of the Chief Justice, and for the reason that the crime for which he was convicted was not a capital one in the mother country. The Chief Justice in reporting upon the case remarked that he could not too strongly express his opinion that "no commutation short of imprisonment for life would be sufficient for the safety of society against so malicious and desperate a character."

7. I directed the special attention of the Visiting Justices to this prisoner, and I requested that they would "report fully on the present state of that prisoner, and any circumstances in connexion with his conduct, and the treatment which it might have been found necessary to adopt towards him, which had come under their notice."

8. Their report and the report of the sheriff and of the medical attendant (which are annexed to the enclosed memorandum) show that the prisoner is becoming annually worse. In 1864 he became so violent that a special cell was built for him; it was then deemed necessary occasionally to place him under restraint; now he is kept in solitary confinement in his cell, perpetually ironed.

9. It is evident that solitary confinement like this is not a condition likely to improve or effect a cure of a maniac, and that if this unfortunate creature were in a proper asylum his condition would be considerably ameliorated, even if a cure could not be effected; but there is not any asylum here for criminals, and the small local asylum, even if enlarged for the purpose of receiving criminals, would not in my opinion be very suitable for a case like Young's.

10. I therefore, in my memorandum to my Council, directed their attention to the serious responsibility the case imposed upon them, and recommended that steps should be taken by them to ascertain whether this prisoner could not be received into an asylum in England or in Canada, and, if so, that arrangements should be made by legislative enactment, if necessary, for his removal and support.

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AMERICAN.

11. There was not, however, any action taken during the recent session upon this recommendation. The local government would, I think, be glad to get rid of this man from the island, and would pay for his support; but it appears that difficulty would arise in keeping Young in confinement under a sentence of a local court after he left this island, and that an Act of the local legislature would not be sufficient to legalize his detention outside the jurisdiction of the Island Courts.

12. I am not aware whether there is any imperial Act which would meet the case, but I am sure that your Grace will concur with me in the opinion that the present treatment of this prisoner should not continue.

I have, &c.

(Signed) GEORGE DUNDAS,
Lieutenant Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

SUMMARY.

The three gaols of Prince Edward Island are reported to be in much the same state as they were when the information respecting them was furnished, which will be found summarised at pages 29 and 59 of the Digest on Colonial Prisons.

It will be seen from the following Table that the number of prisoners committed to Queen's County Gaol, the chief gaol of the island, is steadily on the increase.

NUMBER of PRISONERS committed to Queen's County Gaol for the four years ending December 1867.

	Criminals.	Debtors.
1864	136	109
1865	179	165
1866	239	264
1867	273	254

The Visiting Justices have it in contemplation to employ the prisoners in Queen's County gaol next summer outside the prison in repairing roads and opening drains.

In Prince County gaol there is still "no labour or mode of punishment."

It is stated in the Digest at page 59, that the sexes in King's County gaol are not properly separated. It now appears that in Prince County gaol, all the prisoners, male and female, debtors and criminals, are associated in a yard during the day.

There has been no change in the diet of the Queen's County and King's County gaols, but these prisoners in Prince County gaol, who are herded together all day without work, have been given a daily addition of one pound of oatmeal.

Downing Street, July 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
(No. 33.) Lieut.-Governor DUNDAS.

SIR, Downing Street, July 9, 1868.

* Page 97.

I HAVE received your Despatch No. 60*, of the 3d of June.

I can only express to you my satisfaction at the course taken by you in bringing the defects now existing in the prisons distinctly to the notice of your Council.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

To Lieut.-Governor Dundas.

No. 31.
Newfound-
land.

No. 31.

NEWFOUNDLAND.

COPY of a DESPATCH from Governor MUSGRAVE to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 166.)

Government House, Newfoundland,

MY LORD DUKE, August 19, 1867.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 18th June, enclosing copy of one, with its annexures, which you had addressed to

those Governors of Colonies under Responsible Government from whom answers were duly received to Mr. Cardwell's Circular Despatch upon prisons dated the 17th January 1865.

2. Your Grace expresses disappointment that in some cases no notice should have been taken of a Despatch addressed to the Governor by the Secretary of State, in the hope that it might have been useful in promoting improvements in a very important class of public institutions; and I regret that the observation should apply to this Government. I confess, however, that I regarded Mr. Cardwell's communication from its language as intended for the guidance and assistance of the local government, rather than as requiring any immediate report, if no special steps for the improvement of prison arrangements or discipline should at once be possible; and I deferred any reply until I should be able, as I hoped, to report some movement in this direction.

3. The object of Mr. Cardwell's Despatch was not, however, disregarded, and I now enclose, for your Grace's information, copies of the replies to the interrogatories which were then made respecting the prisons at St. John's and Harbor Grace. In the other gaols in the Colony few prisoners are confined, and only for short periods; the St. John's and Harbor Grace prisons being those in which prisoners are usually confined on conviction before the superior courts.

4. The answers forwarded are from the Board of Works, which have the entire control of the St. John's Penitentiary, and from the sheriff of the Northern District, who has the immediate management of the Harbor Grace gaol. There appears to be some discrepancy in them, which it is necessary to explain. The answer to the 3d and 4th interrogatories as respects the St. John's Penitentiary are, (3.) that all prisons are controlled under the authority of local Acts named, (4.) that the rules for the regulations of prisons are made and altered when necessary by the Board of Works. Whilst the answers as respects the Harbor Grace Gaol to the same interrogatories are, (3.) under the control of the Government, and no particular statute with reference to that gaol; (4.) and that the rules of the prison are framed by the Supreme Court, and cannot be altered except by the said Court or Government.

5. Under the Royal Charter the judges of the Supreme Court presented rules for the management of the prisoners, dietary, &c., which are still observed in all the prisons except the St. John's Penitentiary, the entire management of which was entrusted to certain Commissioners by an Act of the Legislature which provided for its erection, and subsequently transferred to the Board of Works, as will be seen by the copies of the Acts appended to the answers concerning the penitentiary. The Board of Works has the control over all public buildings including gaols, but not in respect of the treatment of prisoners, except as regards the penitentiary, and that again is subject to the direction of the Government.

6. Your Grace will observe from the papers forwarded that there is no attempt at enforcing the "separate system," nor is it possible under existing circumstances to say anything in favour of the penal efficacy of the labour of prisoners under sentence of hard labour. With regard to these points especially, and generally as to the administration of the gaols, I had hoped that I should be able to report some good results from the action of the Government. But, although the matter has engaged the attention of my advisers, and inquiry has been instituted with a view to alteration of the buildings and introduction of a tread-wheel and cranks, I regret that, owing to the expense which would attend any effective amendment, and the deplorable drafts which have been caused for some years back upon the public resources for pauper relief in consequence of bad seasons, the administration have not felt themselves able to enter upon any costly improvements.

7. Some excuse may also be found for their comparative indifference to this necessity in the fact that criminals are so few, and crime so light in character for the most part among our population. I suppose there are few parts of the world with which we might not compare criminal statistics with a result in our favour. I annex a return showing the number of prisoners now in custody, and the offences of which they were convicted; and if it must be admitted that the separate system is impossible, and penal discipline is almost entirely wanting, it certainly may with confidence be stated that there is no inhumanity in the treatment of prisoners; the great objection being in fact that their condition is one of too much comfort for persons undergoing punishment.

I have, &c.

(Signed) A. MUSGRAVE.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

PENITENTIARY, ST. JOHN'S, NEWFOUNDLAND.

No prison rules are sent save a set drawn up in 1836 by the Judges of the Supreme Court, whilst those now in force have been made by the Board of Works under the Acts 14 Vict. c. 8. s. 4. and 18 & 19 Vict. c. 7. s. 4.

Separation is not provided for, the number of prisoners in confinement at one time having amounted to 55 in 1861 and to 44 in 1864, whereas the number of cells is only 29, and many of these, owing to their situation, are not available when there are women in confinement.

The defects of construction described by the superintendent of public works were the less to be expected as at the time when the prison was built the colonial authorities were in possession of plans approved by Colonel Jebb, and, as appears by the rules of the judges issued in 1836, the importance of classification at least, if not of separation, had been recognized.

Silence at labour is not enforced, and communication from cell to cell throughout the prison can be kept up through the tubes employed for the purpose of ventilation.

The treadmill, crank, and shot-drill are not used. The cost of providing the two former is alleged to be an obstacle, but there can be no such obstacle to shot-drill, and indeed, with some exceptions more or less casual, there is no labour enforced except the domestic service of the prison.

The officers of the prison are not absolutely and under all circumstances prohibited from accepting the services of the prisoners for their personal advantage.

Prisoners sentenced to two calendar months and under are fed with bread and water only.

Prisoners can sleep on their beds during a great part of the day besides the nine hours during which the cells are locked at night.

Religious services are *occasionally* held in the gaol. Ministers of all denominations have access at all times to the prisoners, but there is no chapel, no chaplain, nor any provision for religious or secular instruction during the many hours for which the prisoners are unemployed in their cells.

There is no system of marks and tickets of leave.

The proportion of prisoners twice, thrice, and oftener convicted must be erroneously stated, as a larger proportion is given for those convicted more than thrice than for those convicted thrice or twice; but, so far as any inference can be drawn from the statement, it would seem that the absence of the essential methods and means by which penal efficacy is given to imprisonment produces the natural result of frequent re-convictions.

Visits of inspection are stated to be made frequently by the Chairman of the Board of Works, and visits are also made by the Chief Justice, and twice a year by the grand jury. The late Governor had visited the prison only twice, and the present only once.

HARBOUR GRACE GAOL and five minor gaols.

No separation, nor even, except as between sexes and as between debtors and criminals, any classification, though the latter is enjoined by the rules of 1836.

No treadmill, crank, or shot-drill, no labour, whether penal or industrial, and hours of sleep unlimited.

The gaoler furnishes the supplies of food. The diet for convicted prisoners, whether for long or short terms, is confined to bread or biscuit (1 lb.), and oatmeal burgoo, 2 lbs., with 2 quarts water per diem.

No attempt at reformation.

No ticket of leave system.

A record of surgeon's visits is ordered to be kept, but no mention of such a book is made in answer to the interrogatories 32 and 34.

No religious or other instruction, and no religious service.

No inspection except by grand juries.

And in conclusion the officer who returns these answers to the interrogatories writes, "there are no defects in the structure, sanitary state, or discipline of the prison to which I wish to call attention."

Downing Street, December 20, 1867.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor MUSGRAVE.

(No. 36.)

SIR,

Downing Street, December 31, 1867.

I HAVE received your Despatch, No. 166*, of the 19th August, in answer to mine, marked Circular of the 18th June, in which you forward the replies to the interrogatories on prison discipline sent to you by Mr. Secretary Cardwell in January 1865, and explain that the delay in their transmission had arisen from an understanding on your part that Mr. Cardwell's communication was intended rather for the guidance and assistance of the local government than to elicit an immediate report if no special steps for the improvement of prison arrangements and discipline should at once be possible. You also report that although the subject of establishing the separate system and enforcing penal labour has engaged the attention of your advisers, financial considerations have hitherto prevented them from entering on any costly improvements.

Mr. Cardwell, when transmitting to you on the 17th January 1865 the interrogatories on prisons, adverted to the limited extent of responsibility attaching to the Secretary of State in respect of a colony in which the administrative functions are exercised under a direct responsibility to the Legislature; but his object was to obtain at all events a knowledge of the state of the prisons, and of prison discipline in the colony, and it was for this reason that he called for a report.

I enclose notes of the more material particulars, in which the system as exhibited by the answers is at variance with the rules and principles of construction, management, and discipline approved in this country as set forth in the Digest which accompanied my Despatch of the 18th June.

On reference to those notes you will perceive at once that there is hardly any material particular in which the prison management and discipline in Newfoundland is not at variance with the rules and principles approved in this country.

I hope that you will do what lies in your power to impress this fact upon your advisers, and I shall be glad to receive, after you have consulted them, a further report from you on the subject.

I have, &c.

Governor Musgrave,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

COPY of a DESPATCH from Governor MUSGRAVE to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 199.)

MY LORD DUKE,

Government House, Newfoundland, March 12, 1868.

I HAVE had the honour to receive your Grace's Despatch, No. 36*, of the 31st of December last, with its enclosures, relative to Prison Discipline in this colony. I have communicated to my council your Grace's observations, and in reply a Minute has been submitted to me of which the substance states, what I believe to be the fact, that from the defective construction of St. John's Penitentiary, which is the only important prison, it would be impracticable to introduce the improvements in discipline to the extent suggested and required without a large expenditure, which the means of the colony will not afford at present. * Page 100.

2. Arrangements had been made for carrying out the plans furnished by Colonel Jebb, and the foundations for the proposed buildings were laid; but, on the change of the form of government in 1855, it was decided by the new administration to be too costly and unsuited to the condition of the colony, and the result was abandonment of the original plans and the substitution of the present defective structure.

3. In 1866, at my instance, plans were obtained from the Crown Agents for a treadmill; but it was found that, besides the expense of importing the machinery, additions would be required to the building to erect and use it.

4. Shot-drill can it is believed be introduced with advantage; I have urged that it should be adopted, and it is intended to do so. In substitution for shot, heavy stones have lately been used on the grounds when the state of the weather would permit; but for many months of the year the accumulations of snow in the airing yards prevent much out door occupation. There is a forcing pump of considerable power, at which the prisoners are daily worked, and the labour of those so employed is regarded as sufficiently severe. Prisoners are employed in the winter season at some useful trade-work, and none have rendered or been required to perform any service for the personal advantage of the officers of the gaol. Several instances are known of prisoners having been taught trades, which have subsequently afforded them profitable occupation.

5. The health of the prisoners has not been found to be injuriously affected during short terms of imprisonment by the bread and water diet prescribed by the regulations for prisoners sentenced to two calendar months and under.

6. In the notes enclosed by your Grace it is remarked that the prisoners can sleep on their beds during a great part of the day, besides the nine hours which the cells are locked at night. But there is always an officer on duty, and the prisoners are not permitted to sleep on their beds during the day.

7. The appointment of a single chaplain of any one religious denomination would not be satisfactory in a community so constituted as this, and the construction of a chapel with due provision for all religious bodies would entail expense disproportioned to the number of prisoners commonly in confinement.

8. At this time there are only 10 persons confined in the penitentiary, of whom eight

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are males and two females, and of these only three are sentenced for terms of more than two months. In 1861, and for some time subsequently, the number was augmented by the unusual convictions for offences during the election riots of that year.

9. A system of marks or tickets of leave would be out of place and unsuitable to the circumstances of a community like ours. It has been found better to deal with the cases of deserving prisoners, for the most part under sentences for petty offences, by pardon, or final remission of a portion of their punishment.

10. The proportion of prisoners twice, thrice, and oftener convicted seems to have been erroneously stated, as a larger proportion was given for those convicted more than thrice than for those convicted thrice or twice. The gaoler who prepared the return has since relinquished his appointment and left the colony, and it is found impracticable to trace the source of the error. But in a population generally orderly and little prone to serious crime it is not surprising that the greater porportion of prisoners, among a number in the whole small, should prove to be old offenders who have been repeatedly convicted.

11. Visits are frequently made by the chairman and periodically by a Committee of the Board of Works who report to the Government, and it is believed, that so far as the character of the building and means of the colony permit the board will endeavour to establish a more efficient system of discipline. With regard to the visits of the Governor, which it is noticed have been rare, I may remark, so far as I am myself concerned, that I have not thought it expedient, in a system of government such as is in operation here, to nominally assume a responsibility or control which practically does not belong to the Governor; who is in effect without the power to order or enforce many things which might seem to him desirable, and whose usefulness would in other respects be prejudiced by unseemly difference with his council upon points with regard to which he is not in a position to insist on the adoption of his own views. But, so far as my influence extends, I shall cheerfully endeavour to carry out your Grace's instructions.

12. The out-port prisons in this colony are used more for temporary lodgment as "lock-ups" than as prisons, except at Harbour Grace, where convicts in the northern district have, occasionally, undergone their sentences. At present there are none confined in any of the out-port prisons.

I have, &c.

His Grace the Duke of Buckingham and Chandos, (Signed) A. MUSGRAVE.
&c. &c. &c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor MUSGRAVE.

(No. 16.)

SIR, Downing Street, May 12, 1868.

I HAVE received your Despatch, No. 199* of the 12th March, reporting that your responsible advisers consider that the financial condition of Newfoundland would not justify the expense of alterations necessary for the introduction of the improvements in prison discipline suggested in my Depatch No. 36 of the 31st December last.

I have, &c.

Governor Musgrave, (Signed) BUCKINGHAM AND CHANDOS.
&c. &c.

No. 32.
Bermuda.

No. 32.

BERMUDA.

COPY of a DESPATCH from Governor Sir F. CHAPMAN, K.C.B., to the Right Hon.
the SECRETARY OF STATE for the Colonies.

(No. 33.)

MY LORD DUKE, Government House, Bermuda, May 8, 1868.

WITH reference to your Circular Despatches of the 18th June 1867 and 28th February 1868, on the subject of colonial prisons, I have the honour to acquaint you that the prisons in Bermuda are in much the same condition as they were when the

answers to Mr. Cardwell's Despatch of the 16th January 1865 were transmitted by Lieut.-Governor Hamley on the 9th June in that year; no improvements have been made or are in progress, but it is in contemplation to erect a commodious and suitable gaol in the town of Hamilton, and 4,000*l.* has been funded for this object, in accordance with Act No. 38, Session 1864-65.

2. A commission, composed of two members of the Legislative Council and two members of the House of Assembly has been appointed to inquire and report on the most suitable site for a gaol built on such a plan and with such arrangements as shall provide in the best manner for the health, security, and discipline of the prisoners, and for the accommodation of the officers.

3. The commissioners were also instructed that the inquiry should be instituted into the system and management now in force in the gaols of these islands with a view to ascertain how far it is in accordance with the improved system which has been adopted in England, and in those colonies which have given attention to the subject, and what modifications thereof may be adopted advantageously in the gaols in Bermuda.

4. The report of the Commissioners has been delayed in consequence of the difficulty, as yet unsurmounted, of procuring an eligible site for the establishment, that originally contemplated being required by the War Department for defence purposes; and as there is no power in the Colony of acquiring private property for prisons without the consent of the proprietors, I fear the report may yet be delayed; but I have urged on the Commissioners the necessity of coming to an early decision on the matter, and I will communicate the result as soon as I am in possession of their opinions.

I have, &c.

(Signed) F. CHAPMAN.

The Right Hon. the Secretary of State for the Colonies,
&c. &c. &c.

No. 33.

BRITISH COLUMBIA.

No. 33.
British
Columbia.

COPY of a DESPATCH from Governor SEYMOUR to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 133.)

MY LORD DUKE,

Victoria, September 28, 1867.

ON the receipt of your Grace's Despatch I forwarded your Circular Despatch (1) of the 18th of June to the Colonial Secretary, and requested that he would at once, without notice, visit the prison in Victoria. I had recently visited it myself and found it very clean and wholesome.

2. I enclose Mr. Young's report, which is not unsatisfactory.

I have, &c.

(Signed)

FREDERICK SEYMOUR.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Enclosure.

Enc.

24th September 1867.

A good deal of money was expended on the gaol last year and also in 1865. I have visited it and carefully inspected it to-day. I really think, considering the circumstances of the Colony, that the gaol at Victoria is no discredit to it. The cleanliness of every portion of it is remarkable, nor do I think that any substantial exception can be taken to the internal management. It is true that the prisoners cannot be classified, as our means will not admit of this system; but they are well cared for, well fed, well clothed, and well attended when sick. The superintendent of convicts is an excellent man, peculiarly adapted to his position, and the labour of the convicts is utilized to the utmost. Witness the very useful and well executed work just performed by them on Store Street.

Mr. Pemberton, the acting governor of the gaol, appears to me to be most painstaking and conscientious in the performance of his duties, and I am not aware of any complaints from the prisoners that have any foundation; indeed, as far as my experience goes, the absence of complaint is sufficient of itself to show that his management cannot be unsatisfactory.

I have, &c.

(Signed) W. A. G. YOUNG.

Governor F. Seymour,
&c. &c.

NORTH
AMERICAN.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor SEYMOUR.

(No. 3.)

SIR,

Downing Street, January 20, 1868.

*Page 103.

I HAVE received your Despatch of the 28th September, No, 133*, written on the receipt of my Circular Despatch of the 18th June last, and enclosing in answer to that Despatch a report from the Colonial Secretary of a visit of surprise paid by him to the prison of Victoria.

The Colonial Secretary reports that the gaol is clean; that no substantial exception can be taken to its management; that, although the prisoners cannot be classified for want of means, they are well cared for, well fed, and well clothed; that they make no complaints, and that the absence of complaint is sufficient of itself to show that the management cannot be unsatisfactory.

On this reasoning you make no remark, and I cannot therefore but fear that you in some degree misapprehend the object of my Circular Despatch of the 18th of June, and of the inquiries which preceded it.

It had been found some few years ago that in a considerable number of the prisons in this country, not perhaps otherwise ill-managed, the essential objects of imprisonment in repressing crime and affording security to person and property had been lost sight of. Industrial employment, not only in the later stages of imprisonment but in all stages, had been substituted, with a short sighted view to profit, for strictly penal labour by the treadmill or crank, or by shot-drill; separation had been very imperfectly provided for; dietaries had been on too high a scale; the time allotted for sleep had been unduly prolonged; remissions were loosely granted without applying the labour test, by which alone it is generally practicable to ascertain that they have been earned. The result was that recommitments for the second, third, fourth, and for still higher numbers of times, had become numerous, and a large increase was accruing to the class of offenders who, when not in prison, pass their lives in the habitual commission of crime.

When careful inquiry had disclosed this state of things at home, and what was amiss had been to a great extent corrected by legislative and administrative action, it was deemed expedient to inquire into the prison systems of the colonies, and ascertain whether and to what extent the same evils might exist in them and the same remedies be applicable. You were furnished with the result of the inquiry in the Digest and Report accompanying my Despatch of the 18th June. The particulars noted respecting the prison in Vancouver Island and that in British Columbia are to be found at pages 30, 59, and 60. Amongst other things it is stated that there is no strictly penal labour, no separation, not even classification, except of a very partial character, a high diet, and in Vancouver Island twelve hours for sleep, and that tickets of leave are granted on condition of quitting the Colony.

I do not enter upon the question in what degree peculiar local circumstances and the character of the races to be dealt with, or the nature of the offences commonly committed, may render the principles of prison discipline adopted in this country unsuitable to British Columbia, but it is a question which deserves your attention, and on reverting to the report of the Colonial Secretary enclosed in your Despatch you will perceive that it has been written without reference to the questions at issue and apparently in ignorance of them.

If you will again direct your attention to the Prison Digest and Report, Part II., or merely to the "general summary" at page 87, you will find a statement of the principles of prison discipline, as laid down by the Lord Chief Justice of England in 1863, which may be said to have a universal applicability, and a further statement of the penal means by which, in this country and probably in most other countries, effect may best be given to those principles.

On reviewing what is there written, I assure myself that you will find it worthy of the active and attentive consideration which you are in the habit of devoting to all subjects affecting important public interests.

I have, &c.

Governor Seymour,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

AUSTRALIAN.

AUSTRALIAN.

No. 34.

No. 34.
New South
Wales.

NEW SOUTH WALES.

COPY of a DESPATCH from Governor the Right Hon. Sir JOHN YOUNG, Bart., to
his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 96.)

MY LORD DUKE,

Government House, Sydney, October 23, 1867.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 18th June last with its annexures, and am glad to have it in my power to assure you that the important question it treats of has received constant attention in New South Wales during the period of nearly seven years, which has elapsed since my assumption of the functions of Governor.

2. Having on two separate occasions, at long intervals, served on Royal Commissions to which the task was intrusted of inspecting the prisons and convict depôts in Ireland, I was fully alive to the consequence of the subject. It is one of those branches of administration, and there are several in the same category, in which, even under the limits imposed on his authority by the existing system, a Governor's influence may make itself beneficially felt.

3. Accordingly I never lost sight of it. I have from time to time visited the principal prisons as well as other public institutions in or near Sydney, with each successive Colonial Secretary, and made a point of inspecting the gaol or bridewell of every town at which I arrived in my excursions through the territory.

4. Mr. Cardwell's Circular Despatch of 17th January 1865 with its enclosure was by my direction duly laid before the Parliament of the Colony.

5. I transmitted in the usual course the copies of the report and evidence presented by the Committee of the House of Lords on the state of discipline in gaols, and of the report and evidence presented by the Royal Commission on penal servitude, for the use and information of the Colonial Secretary and his subordinate officers. I do not think that the value of these documents has been overlooked, or the results of the experience they embody lost in New South Wales. At any rate, points and suggestions offered in them have, as I know from the part I have myself taken, been the subjects of frequent reference and consideration by the Colonial Secretaries and the Sheriff now acting as inspector of prisons.

In support of this assertion I enclose a report from the Sheriff, dated the 7th instant, which gives a general statement of what has been done in recent years.

7. The Sheriff's Report is accompanied by five annexures.

No. 1. Report of Select Committee of Legislative Assembly on Public Prisons in Sydney and Cumberland, appointed 23d January 1861.

No. 2. Result of inquiries into the working of prison establishments in Victoria by Harold Maclean, Esq., Sheriff of New South Wales (February 1865).

No. 3. Correspondence respecting regulations proposed for the remission of sentences of prisoners confined in the gaols and penal establishments of the Colony (9th January 1865).

No. 4. Prisons Regulations Act, 4 Victoria, No. 29, and regulations thereunder, dated 19th February 1867.

No. 5. Prison regulations, correspondence and minutes upon sentences of prisoners and general treatment.

(Note.—This last paper has been submitted for the consideration of the judges and their replies have not yet been received.)

AUSTRALIAN.

8. These papers afford an outline of the proceedings in respect to prisons during the last seven years, but I should not do justice to the present Colonial Secretary (Mr. Parkes) were I not to add that he was the member who moved for and the chairman of the committee that prosecuted the inquiry into the public prisons in 1861. To the recommendations made in the report of that committee (report and evidence herewith) the ameliorations which have since taken place may be mainly attributed.

9. Mr. Parkes, whether in office or out of office, has continued his attention to the subject of prison management. In 1861 he proceeded to England as a commissioner to give information on the state of the Colony, and to stimulate emigration to these shores. He availed himself of the opportunity to visit several establishments, and wrote the letter, of which a printed copy is enclosed, on the prisons at Worcester, Leicester, and Warwick.

10. This letter was laid by Mr. Cowper, the then Colonial Secretary, before the two chambers, and attracted a great deal of the public attention.

11. Mr. Parkes is now himself Colonial Secretary, and has prosecuted the work of improving the accommodation and raising the standard of discipline in the various gaols zealously, and with an enlightened appreciation of the value of the results to be obtained.

12. The plans which I enclose are three in number.

No. 1. Plan of gaol erected at Yass. This plan was adopted about four years ago for small gaols in country parts, somewhat analagous to bridewells in quarter sessions towns in Ireland, but it is evidently defective in many respects and has since been condemned.

No. 2. Mr. Parkes proposes to substitute this plan instead of No. 1, wherever it may be desirable to erect a gaol of the third class in a country district.

No. 3 is the design for the proposed gaol at Orange. A vote of parliament has been obtained for 10,000*l.* on account of the cost of its erection, which is estimated in the whole at 35,000*l.* Orange is a town 154 miles in the interior due west of Sydney, and this gaol is one of the first class, and intended to serve for the western districts generally as a penal establishment. The intention is to build first the part of the plan marked black by contract, and then to transfer convicts to the spot, and complete the remainder of the building by their labour.

13. It is to be observed that the report of the committee of 1861 depicts things as they then were (in 1861), a great advance has been since made. In that very year the dormitories at Cockatoo Island were entirely remodelled, and made to resemble sleeping rooms for soldiers in barracks, with fewer men in each room, a larger supply of air, lights, and constant observation. A chapel for the celebration of divine worship was also provided, and some relaxation in respect to the regulations as to mitigations of sentences was effected. No combinations to resist the authorities have since taken place, nor has any formidable act of insubordination been perpetrated.

14. The reason that improvement has stopped at Cockatoo at this point, is that it is not intended to continue to make permanent use of the place as a receptacle for convicts. In a year or two, so soon as certain public works shall be completed, it is intended to withdraw the prisoners, and cease to use the island as a penal establishment.

15. The cost of building is great in Australia, and the expense of converting old fabrics into proper shape so as to render them suitable for modern requirements in the treatment of prisoners quite as heavy as that of erecting new buildings; looking to this circumstance, and to the variety of objects, as well as the heavy charges which engage and distract the attention of the two chambers in the development of the resources, and the management of the population scattered over a vast area larger than the United Kingdom and France joined together, your Grace will probably be of opinion, that though all has not been accomplished that may be desired, or that may be necessary to attain the highest standard, yet still the improvement of prisons and prison discipline has received a large share of ministerial attention, and been attempted with no niggardly supply of money voted by parliament, with as much both of the one and the other as could reasonably be expected.

16. The sheriff has explained that he had at my instance commenced a review of prison affairs in compliance with Mr. Cardwell's suggestion so long ago as the year before last, but the overwhelming nature of the details he had to attend to, and his being despatched on more than one occasion to carry on investigations in distant parts of the Colony, interrupted the work, and it was lost sight of. It is now proposed, in accordance with the example of the mother country, to compile official reports on the state of the convict and other prisons which shall be annually laid before parliament. If this course be

duly adhered to a supply of authentic statistics will be regularly furnished for future AUSTRALIAN examination.

I have, &c.
(Signed) JOHN YOUNG.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

Enclosure.

Enclosures.

SIR,

Sheriff's Office, Prison Branch, Sydney, October 7, 1867.

HIS Excellency the Governor having expressed a desire to be furnished with materials for a Despatch to his Grace the Secretary of State respecting the prison arrangements of this Colony, in relation to Mr. Cardwell's Despatch of the 17th January 1865, I do myself the honour to report upon the subject, and will endeavour to supply the information, statistical and general, indicated to me by his Excellency.

I attach a schedule of the prisons of the Colony, showing the capacity of each. There are also 18 lock-ups used as gaols.

All these establishments are supported entirely from the general consolidated revenue, and are under the direct control of the Government. Their annual cost, which has necessarily been increasing, as shown by the estimates for 1868, now before Parliament, amounts to 68,462*l.*, and the number of officers of all descriptions employed, inclusive of visiting officers, is 352.

With the exception of Cockatoo Island, a penal public works establishment for 180 prisoners under a separate superintendent, each gaol is managed by a gaoler and matron, and has a visiting justice and surgeon, the larger establishments having also chaplains. The gaolers, matrons, and visiting officers are appointed by the Governor and Executive Council, and the lesser officers by the Sheriff. The gaolers are primarily responsible for their respective establishments, the whole being subject to the control of the Sheriff, who holds also the office of inspector of prisons, thus uniting within the latter capacity the responsibility of examining into and representing the requirements of the gaols, that in the former of administratively carrying out his own recommendations or the directions of the Chief Secretary.

The gaols are established as indicated by the schedule in the chief centres of population throughout the Colony, that of Darlinghurst at Sydney being the principal, from Deniliquin and Albury in the south to Grafton and Armidale in the north.

Darlinghurst Gaol is at present of necessity used both for ordinary gaol and for penal purposes. The inmates now number 532. The other principal gaols at Parramatta, Berrima, Maitland, Bathurst, and Goulburn are distant from Sydney from 15 to 130 miles, but are either now connected with Sydney by steamboat and rail or are in course of becoming so connected. Berrima Gaol is being used entirely as a prison for the "separate treatment," in its full conditions, of prisoners under sentences of five years and upwards in their first stage, thence they are transferred in their second stage to Parramatta Gaol, and thence in their more advanced stage to Darlinghurst Gaol and Cockatoo Island. Berrima and Parramatta gaols may be regarded as penal establishments.

At the present time there are in the prisons 1,660 prisoners. For some years previous to the end of 1866 there was a rapid augmentation in the number of convicted criminals seriously exceeding the means of accommodation. In February 1855 the number was 1,290, which by April 1866 had increased to 1,680.

The exigencies of providing accommodation and ensuring punishments, together with the many difficulties to its satisfactory application in country gaols, have compelled some postponement of plans for extending industrial labour. Nevertheless, the value of such labour, irrespectively of the public works during the past year, is computed at 15,671*l.*

In order to enable his Excellency to convey to the Secretary of State some idea of the extent to which the subject of prison discipline has engaged the attention of the Parliament and Government of the Colony, I do myself the honour to enclose the following printed papers, viz.:

- No. 1. Under date 9th May 1861. A Report by a Select Committee of the Legislative Assembly, of which the present chief secretary was chairman.
- No. 2. Under date 1st February 1865. A Report by the Sheriff, after official examination into the working of prison establishments in Victoria, and recommending adoption of a systematic plan of prison discipline in New South Wales.
- No. 3. Commencing 9th January 1865. Correspondence between the Chief Secretary, the Judges of the Supreme Court, and the Sheriff relating to remission of sentences.
- No. 4. Under date 19th February 1867. New gaol regulations established by the Governor and Executive Council.
- No. 5. Commencing 25th March 1867. Correspondence between his Excellency the Governor, the Chief Secretary, and the Sheriff, respecting operation of the regulations, and generally respecting treatment of criminals.

A great improvement in the management of prisons and the abatement of many evils followed the report of Mr. Parkes' committee, although it has not yet been possible to bring the establishments up to the standard aimed at in that report.

In the early part of 1865 action was taken by the executive government on the basis of the recommendations contained in the Sheriff's report. The gaol at Berrima above mentioned was then authorized to be converted into a prison for "separate treatment," and in the course of last year brought into use for that purpose, providing separate cells and exercise yards for 75 prisoners.

By the regulations it will be seen that the foundation so strongly urged by the Secretary of State for a plan of prison discipline having been laid by the conversion of Berrima gaol into a "separate

AUSTRALIAN. treatment" prison, a system has now been provided and is in operation whereby the treatment of prisoners in classification, labour, dietary, remissions of sentences in terms of a daily record of conduct, and in other respects is prescribed in accordance with the views of the home authorities, so far as the circumstances of the colony and state of the prison buildings will admit.

During the period from 1860 to 1866 inclusive there has been expended by parliamentary appropriation, in the erection, extension, and repair of prison buildings, the sum of 78,467*l*.

Large extensions are now going forward in the gaols of Darlinghurst, Parramatta, and Maitland, and the erection of gaols of considerable size and superior design in the western and southern interior are contemplated. In all these the means of separation will be kept in view, and it is hoped that extensions of that system to other classes of prisoners will before long be found practicable.

I have, &c.

The Principal Under Secretary.

(Signed) HAROLD MACLEAN,
Sheriff and Acting Inspector of Prisons.

Enclosure to Sheriff's Letter of 7th October 1867.

Schedule of Prisons of New South Wales.

Place.	Number of Prisoners capable of accommodating.		
	Male.	Female.	Total.
Darlinghurst (Sydney)	366	114	480
Parramatta	250	—	250
Bathurst	120	32	152
Maitland	143	21	164
Goulbourn	79	28	107
Berrima	90	—	90
Port Macquarie	94	6	100
Wollongong	18	6	24
Albury	30	6	36
Braidwood	21	3	24
Mudgee	28	4	32
Grafton	22	8	30
Wagga Wagga	21	3	24
Armidale	21	3	24
Yass	27	6	33
Deniliquin	36	—	36
Cockatoo Island	180	—	180
Totals	1,546	240	1,786

Sheriff's Office, Prison Branch,
Sydney, 7th October 1867.

(Signed) HAROLD MACLEAN,
Sheriff and Acting Inspector of Prisons.

Sub-Enc.

Sub-Enclosure.

No. 1.—REPORT of the Select Committee of the Legislative Assembly, appointed 23d January 1861.

Public Prisons in Sydney and Cumberland.

The Select Committee of the Legislative Assembly appointed on the 23d January last, "with authority to send for persons and papers, to inquire into and report upon the state and management of the public prisons in the city of Sydney and county of Cumberland," severally "authorized" on the 26th following, "to make visits of inspection to any gaol or penal establishment in the city of Sydney or county of Cumberland," "to require the services of a shorthand writer in such visits of inspection, and to receive the statement of any prisoner or prisoners which a majority of any meeting of the committee may deem necessary to their inquiry," to whom was referred, on the 21st February, "the Petition of Thomas Harrison" (presented on the 19th), and to whom, on the 16th ultimo, leave was granted "to sit on Saturdays and Mondays," have agreed to the following Report:—

The inquiry intrusted to your committee has demanded more time and attention for its satisfactory conclusion than they have been enabled to devote to it during the session about to close; but it has been deemed desirable to report upon the evidence they have taken and the results of their visits to the principal penal establishments, and to submit for the consideration of your honourable house such reflections and recommendations as their examination of the general subject has suggested, though it may be expedient to continue their labours in the next session of Parliament.

2. The committee have held 22 meetings, and have taken the evidence of a large number of persons, including many inmates of the several prisons. They have paid three visits of inspection to the penal establishment of Cockatoo Island, two to Darlinghurst Gaol, one to Parramatta Gaol, and one

to the proclaimed Gaol at Penrith. They have also visited, during the night time, when it was considered such places could be best inspected, all the watch-houses in the city of Sydney. AUSTRALIAN.

3. Many of these meetings have extended over five or six hours, and in other respects have imposed severe labour upon the committee. The list of witnesses examined includes the present Colonial Secretary, the Chief Justice, the Honourable Edward Deas Thomson (formerly Colonial Secretary), the Inspector General of Police, the principal gaolers, and other persons whose official acquaintance with the question of criminal management, as well as their superior intelligence, entitle their evidence to the most attentive consideration.

4. Several written statements have been received from prisoners undergoing sentence, which embody various complaints of the unequal working of the penal system now in force, and allege other facts of a serious nature in relation to their general treatment; and while the committee regard these statements in some cases with distrust, and in all with a feeling of caution, they have considered them of sufficient importance to be appended to the evidence presented to your honourable house. It appears to the committee necessary especially to notice the revolting character of some of the evidence received; its very enormity is submitted in justification of its publication, as the ends of truth in disclosing the actual state of our prison establishments must suffer by its being suppressed or modified.

5. Their report is accompanied by carefully prepared plans of Cockatoo Island and the gaols at Darlinghurst and Parramatta, which the committee have considered necessary for the purposes of the inquiry ordered by your honourable house.

6. On the occasion of your committee's first visit to Cockatoo Island, on the 1st of February, there were 167 prisoners in that establishment, 63 of whom on the previous night had been confined in one dormitory. The men engaged in productive labour on the day in question were only 68 out of the whole number, and 10 of these were set down as overseers; they were employed on the works of the Fitz Roy Dock. The buildings assigned for the prisoners, especially for their confinement at night, are of a deplorable description. There are in all five dormitories, which have been built with very imperfect means of ventilation; on either side of each there are double tiers of transverse sleeping berths, with coffin-like apertures opening upon a narrow central passage. In this passage are placed night-tubs for the common use of the men during the 12 hours they are locked up. Two of the dormitories contain 88 berths each, two contain 52 each, and one contains 48; in all there are 328 berths of the character described. But as many as 500 prisoners have been upon the island at one time, though nothing like so large a number appear to have been confined there latterly. While the physical suffering from this inadequate night accommodation must aggravate the sentence of the law to many men to an extent beyond all calculation, the moral results of such a state of existence are, as might have been expected, of the very worst description. Your committee would direct particular attention in this respect to the evidence of the chaplains of the island and Mr. Inspector Lane. The latter witness, who has been in charge of the police force on the island for the last 13 months, says he has paid much attention to the condition of the prisoners at night; he has often seen them at the iron gratings gasping for fresh air from without, and he "wonders how they live." The brutalising effect upon the prisoners is admitted by all, and it is described by some as terrible in depravity. Practices grossly obscene are common, and on evidence possessing the consistency of truth, and which your committee do not feel warranted in doubting, unnatural crimes of the deepest dye are committed. The clergymen in attendance complain that as the men are never alone for a single hour during the whole time of their sentence, they literally have no opportunity for the exercises of religion, even if they are so disposed; and similar complaints are made by the men themselves. It is almost unnecessary to add that there is no attempt at classification of prisoners in this establishment.

7. The heaviest grievance of which the men on Cockatoo Island complain is the inequality of treatment to which they are subject in carrying out their sentences. Formerly a system prevailed by which the prisoners received marks for labour and good conduct, which were placed to their credit in partial remission of their sentences. On the 1st of June 1858 new regulations were issued by the Government abolishing this system of indulgence, which was done principally in consequence of the abuses of the system previously existing, and, as stated in evidence by the Colonial Secretary, as a temporary expedient. The sentences of the Courts passed upon prisoners since then, except in cases where special circumstances in mitigation have come to light, are being carried out to the letter in point of time. Thus there are at Cockatoo Island prisoners working side by side some of whom, having been tried previous to the 1st of June 1858, are enabled to make eight and nine days a week to count off their sentences, while others who have received their sentences since that date, though they work as hard and behave as well, can only make the six days. It could not be hoped that men in the fallen condition of these prisoners would regard the operation of the new regulations, especially while the old were still partially in force, in a spirit of submission; and we find that, on the 14th of August 1860, the Church of England chaplain reported to the late Governor General, in proof of the feeling of insubordination engendered, that there had been eleven attempts at escape within the preceding few months, and three open combinations to resist the authorities. The more formidable acts of insubordination that occurred in January last are mainly attributable to the alleged grievance arising out of the two sets of regulations.

8. The prison discipline on Cockatoo Island, in the opinion of your Committee, is very imperfect, and in no way determined by any of the moral axioms of the present age which have been established by philosophical investigations of the subject. Indeed, the principles of criminal treatment laid down by Lord Brougham, Mr. Recorder Hill, M. De Metz, and similar authorities, appear to be unknown to the persons in charge of the criminal population of this Colony, and much improvement is loudly called for in all the establishments your Committee have visited. On the laxity and indiscriminating treatment that prevail at Cockatoo Island your Committee refer to the evidence of Mr. Inspector Lane and other witnesses.

9. The gaol at Darlinghurst possesses more adequate accommodation for the proper management of prisoners than any other establishment in the Colony, and if the buildings were completed according

to the original plan, with suitable workshops in addition, it would be a commodious and well-arranged prison. But your Committee regret that they are compelled to represent a state of things in that establishment, at the time of their first visit on the 8th of February, so far as it affects the personal superintendence, exceedingly unsatisfactory and censurable. The design of the prison buildings embraces seven stone-built three-storied wings, radiating from a central tower that would command the whole; but only four of these wings have been completed, and nothing has been done towards the erection of the tower. The plan prepared by the instruction of your Committee represents the prison as it now actually exists. The prison cells are roomy and well ventilated, and the greater number are intended each for three inmates. The workshops are merely temporary sheds, and do not appear to be conveniently arranged.

10. Very little has been done towards classification at Darlinghurst, and the discipline appears to have principally consisted of unlocking and locking up, setting to work in an unskilful manner, and victualing at fixed hours. It is certain that no regulation has existed for a long time past to enforce personal cleanliness among the prisoners. Captain Webster, it appears, mustered the prisoners every Sunday morning, and required them to expose their limbs and bosoms to see that they were clean; but after that officer's death, the practice was abandoned, and it is stated that latterly, if a man allowed his skin to remain unwashed for six months he would not be interfered with, unless through the complaints of his fellow prisoners. Complaints were made of want of cleanliness in the cells, and in the bed clothing; some of the blankets, it was asserted, had not been washed for twelve months, and their dirty appearance would warrant the truth of the assertion. Your Committee observed vermin in many of the cells, in the female cells particularly, the common house bug was in masses of hundreds, forming dark patches on the walls.

11. Your Committee are of opinion that the labour of the prisoners at Darlinghurst might be turned to more profitable account. With the exception of the stone-cutting and wood work required for the extension of the prison buildings, the work at present appears to be confined to trifling jobs, for which little remuneration is received, and the whole is conducted without much regularity or method.

12. The subordinate officers do not appear to have been selected with much judgment as to their fitness for their duties, and your Committee, on examining one of the warders who was on duty in the "exercise yard" at the time of the escape of the seventeen prisoners in February, could not help noticing his apparent unsuitableness for such a post.

13. The prison at Parramatta, in its buildings and means of regulation and safe custody, may be classed second to that of Sydney, and your Committee are of opinion that the discipline in this gaol is more rigid and uniform than in the establishments already noticed. If the complaints of some of the prisoners may be trusted, the error would appear to be undue severity, as it is stated that physical coercion is sometimes resorted to on slight and unnecessary grounds. Gross irregularities were stated to exist, but the prisoners making these statements did not appear to your Committee deserving of much credit, as, by their own acknowledgments, they were among the most refractory and turbulent. The prison exhibited marks of general cleanliness.

14. The arrangements for directing prison labour at Parramatta evince more business aptitude than at Darlinghurst, and the work performed is of greater variety and more useful character. The plan accompanying this report will show the state of the gaol at the present time.

15. The gaol at Penrith is a strong wooden building of four apartments, chiefly used for the confinement of prisoners *in transitu*; and as only a few persons are confined there for a longer period than forty-eight hours, and none for more than seven days, it seems sufficient for the present. In the court-house adjacent there are several close cells which, both for want of room and ventilation, are unfit for the confinement of prisoners. A new brick-built lock-up is in course of erection in this town, which your committee consider is constructed on about the worst possible plan that could be devised; and it is stated in evidence by the colonial architect, that several others of precisely the same design have been erected in different parts of the country. The central room is intended for the lock-up keeper and his family, at the back of which is a small sleeping apartment, while on both sides of this living-room, with doors opening into it, are cells for the confinement of prisoners. The building itself is small, and not calculated to meet any want not already provided for.

16. Your committee visited the watch-houses in the city of Sydney between the hours of four and six o'clock in the morning, that being the time when these places were most likely to be found occupied by persons in the custody of the police. The principal receiving watch-house attached to the Central Police Court is, in the opinion of your committee, unfit for its present purposes; the smaller cells are close and unwholesome, and the larger ones are destitute of the means of common decency. The building itself is fast falling into a state of dilapidation.

17. The other watch-houses are mostly strong buildings of recent erection. A want of cleanliness was observable, more or less, in all of them, with one exception, that of D division, near the gaol at Darlinghurst. The state in which these places were found is described in detail in the proceedings of the committee.

18. It is gratifying to be enabled to report, among so many causes of complaint, that so far as could be ascertained by the careful examinations of your committee, the food supplied in all the gaols is good and wholesome, sufficient in quantity but not in variety. The hospitals in the gaols at Darlinghurst and Parramatta and at Cockatoo Island also appear adequate to the wants of those establishments.

19. Your committee have arrived at the conclusion that great improvement in the whole prison system of the Colony is urgently demanded, and that any step short of its complete revision would be ineffectual. Nor would it be sufficient merely to establish regulations, however carefully framed and excellent in principle they might be. The administration must be under the responsible inspection of a competent officer, whose time and attention would not be divided with other duties; and whose education, knowledge of mankind, and habits of life, would enable him to secure efficiency in subordinate appointments, as well as to exercise a just discrimination in criminal treatment. Additional gaol accommodation is indispensable, if the important ends of classification and industrial training are to be secured.

20. If time were allowed for a fuller consideration of the subject, your committee would be disposed

to offer suggestions that seem to arise out of their inquiry, for the establishment of a great central prison, with all the requisites in cellular dormitories and properly arranged workshops, to secure the reformatory treatment of the prisoners, and the economical division and profitable employment of their labour. Such a change, however, could only be effected by a very large expenditure, and ought not to be proposed without a closer examination of primary principles than is possible within the limits of this inquiry. An interesting appendix to the evidence of Mr. Edward Bell, the City Engineer, and which is founded on a calculation by Sir William Denison, suggests the establishment of a prison at Prospect, for the purpose of quarrying and preparing road metal by convict labour. In this locality, a very short distance from the Western Railway, stone of the hardest description, such as is used for metalling the streets of Sydney, is found in almost inexhaustible quantities. It is calculated that it could be delivered in Sydney at about half the cost of the metal obtained at Pennant Hills, even if a railway should be constructed from the latter quarry to the Parramatta River; and at the reduced price the city of Sydney would consume 50,000 tons annually. It is also supposed that large quantities of the stone would be taken by the suburban municipalities, and for other roads. While this plan would give profitable employment to the prisoners, and supply, at a cheap rate, an article of great necessity, it is not conceived that it would, in any objectionable manner, bring prison labour into competition with the free workman, and it would have an economical advantage in affording a valuable and permanent traffic to the Western Railway. Such an establishment, it is submitted, would not involve a serious expense in erection, and would be very beneficial in increasing the means of convict classification.

21. Your committee conclude with the following recommendation calculated, as they believe, with the least delay and the least cost, to alleviate the worst features of the existing state of things:—

- 1st. In carrying out the sentences of the courts good conduct should be taken into account by the executive, so as to encourage the prisoner to accomplish his own redemption by a reformed course of life.
- 2d. An inspector of prisons should be appointed at a salary that would secure the services of a man of ability and high character, and this officer should be intrusted with the entire supervision and direction of the prison system of the colony.
- 3d. Classes for secular instruction should be established in all the gaols, a better description of books should be provided for the prisoners, and greater facilities for religious teaching should be afforded.
- 4th. The prisoners should be employed with a discriminating consideration of their capabilities, and with a strict regard to making their labour contribute to their support, and at the same time fitting them for an honest course in after life.
- 5th. Sufficient pecuniary recompense should be allowed for their labour to enable them at least to leave prison at the expiration of their sentences decently clothed.
- 6th. The warders in the principal gaols should wear uniform and some badge of authority.
- 7th. Either the central tower originally designed or an elevated platform should be erected in Darlinghurst Gaol, to enable the officers in charge to command a fuller view of the prisoners.
- 8th. Better sanitary provision should be adopted to carry off the sewage of this establishment, which now is a serious matter of complaint to residents in the neighbourhood.
- 9th. More commodious and better arranged dormitories should be at once provided for the prisoners on Cockatoo Island.
- 10th. Suitable buildings should be erected for the performance of Divine service by the chaplains.

HENRY PARKES, Chairman.

Legislative Assembly Chamber, Sydney,
9th May 1861.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
the Officer administering the Government of NEW SOUTH WALES.

(No. 11.)

SIR, Downing Street, February 10, 1868.

I HAVE received Sir John Young's Despatch, No. 96*, of the 23d October, written in answer to my Circular Despatch of the 18th June last, on the subject of prisons and prison discipline. • Page 105.

I have much satisfaction in learning from this Despatch and its enclosures that this subject had received from him the care and attention which its great importance demands, and it is gratifying to find that Mr. Parkes has for a series of years devoted himself to the study of the subject, both by visiting some of the best conducted prisons of this country when he was here, and by promoting an elaborate inquiry into it by a Committee of the Legislature, whilst Mr. Harold Maclean, the sheriff, has done all in his power to effect such improvements as have been found to be practicable.

The principal object of my despatch of the 18th June and of the report and digest enclosed in it had been already, it appears, accomplished in New South Wales; for what was chiefly to be desired in such a colony was, that the minds of its most active and instructed public men should be directed to the subject and impressed with a sense of

AUSTRALIAN. the benefit to be derived to the public well-being from carefully comparing the results of different systems in use in this and other countries, and adapting to local circumstances the principles and rules thence derived.

The only point of prison discipline regarded here as essential, which throughout the voluminous collection of documents transmitted with Sir John Young's Despatch I do not find to have attracted the attention of the authorities, is the exaction during the whole of short sentences, and a minimum portion of long sentences, of penal labour by the treadmill, or crank, or shot-drill, in preference to any form of industrial labour however severe. It may be that, in a country in which labour is so much in demand as in New South Wales, the inducement to resort to industrial employment is stronger than in this country on grounds of economy, although, when Mr. Harold Maclean visited the prisons of Victoria, he "did not find that the labour of the prisoners was made materially productive in a financial point of view;" but even if this be the fact, it may deserve consideration whether the public welfare is really promoted by omitting for certain terms and stages of imprisonment with hard labour the exaction of it by the methods which are found to be most efficacious in deterring from crime, and which, being to a great extent self-acting, occasion least pressure on the moral dispositions of both those who suffer and those who inflict it.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

To the Officer administering the Government
of New South Wales.

No. 35.
Victoria.

No. 35.

VICTORIA.

COPY of a DESPATCH from the Honorable Sir J. H. T. MANNERS-SUTTON, K.C.B., to the Duke of BUCKINGHAM AND CHANDOS.

(No. 52.)

My Lord Duke,

Mr. Cardwell to Sir Charles Darling,
Circular of 17th January 1865.*
His Grace the Duke of Buckingham
to Sir Henry Manners Sutton, Cir-
cular of 18th June 1867.†
Sir Henry Manners Sutton to his
Grace the Duke of Buckingham,
No. 126 of 27th September 1867.

Government Offices,
Melbourne, March, 28 1868.

WITH reference to the correspondence marked in the margin, on the subject of the construction, discipline, and management of Colonial prisons, I have now the honour to transmit to your Grace the replies by the Inspector General of Penal Establishments and the Sheriff of this Colony to the Interrogatories forwarded in Mr. Cardwell's Despatch, which replies have this day been placed in my hands by the Honourable the Chief Secretary.

I have, &c.

(Signed) J. H. T. MANNERS SUTTON.

His Grace the Duke of Buckingham and Chandos.

&c.

&c.

&c.

DIGEST OF INFORMATION RESPECTING THE PRISONS OF VICTORIA.

There are 13 prisons in Victoria, besides a reformatory for neglected and criminal boys.

The prisons for adults comprise a "penal establishment" at Pentridge, near Melbourne, for about 750 long-sentenced males; a female prison, which is a hulk lying in Hobson's Bay, Melbourne; a hulk for seamen; and ten district gaols for all classes.

The reformatory is on board a hulk. The hulk, although crowded, is healthy, and no death has occurred in the establishment since its opening. The boys receive secular and religious instruction, are taught trades, and worked besides in rowing boats about the harbour.

The female hulk is clean and healthy. The inmates belong to a hopelessly criminal and degraded class. The re-committals are stated at 85 per cent. on the committals.

The 10 borough gaols are generally secure and commodious stone buildings, well situated, well drained, well ventilated, with good hospitals. The space allotted to the prisoners is in most gaols very limited, but the prisoners are healthy. The death-rate is generally about 2 per cent. In Sandhurst gaol it is as low as .45 per cent. In Melbourne gaol, on the other hand, it is 4 per cent. But a large number of those committed to Melbourne gaol are drunkards, and a considerable proportion of the deaths which go to make up this high death-rate are from delirium tremens.

The prisoners in the district gaols are generally separated at night. But there are cases where they

* Vide Command Paper, Prison Discipline in the Colonies, presented 1867, page 5.

† Vide page 5 of this paper.

sleep in association, and this, notwithstanding that the wards are so large that they might be broken up into cells without detriment to health. AUSTRALIAN.

The number of hours allowed for sleep is generally 12. In Geelong gaol only ten hours and a half are allowed all the year round; but in Ararat gaol the hours are 12, 13, or 14, according to the time of year.

Strictly penal labour is not in use in any gaol in the Colony. The prisoners are usually worked at repairing streets and other similar work for the corporations of the boroughs where they are imprisoned.

Prisoners who are artisans are put to work at their own trades. The governor, and sometimes the subordinate officers, employ prisoners as servants. The hours of labour are 10½ in Geelong gaol; but in other gaols they are at times not more than seven.

The diet of every hard-labour prisoner in the Colony, whether working at stone breaking in Geelong, or at a trade in his cell at the penal establishment, whether convicted for a week or for life, is the same, that is, 400 ounces of solid food a week, containing the same nourishment as 357 ounces of white bread. In Millbank and Pentonville the prisoners have only about 200 ounces of solid food a week; and the diet recommended by the Home Office for prisoners at hard labour *after* six months imprisonment in English county gaols is, on a similar calculation, only equal to 270 ozs. of bread.

The discipline of the penal establishment at Pentridge is perhaps on the whole more deterrent than that in force in the district gaols. There is a stage, in the first place, of complete separation day and night. The hours of sleep are limited to 10½, and the regulations of the gaol are minute and rigidly enforced.

The prisoners are divided into three classes, A, B, and C. In the A division they are in separation day and night, and work at trades. In the B. division they sleep in separation, but work and mess in association. In the C. division they are associated day and night. The labour which the B and C divisions are put to seems to be generally the cultivation of land.

Some of those officers who have responded to the interrogatories complain that the prison system is penally inefficient. The re-committals at Pentridge are stated at 52 per cent. on the committals. In the female prison in Hobson's Bay they are stated at 85 per cent.

It appears from the statistics of Victoria that the number of persons arrested by the police in 1866 was somewhat over 24,000, and the number convicted about 16,000, or about 1 in 43 of the population. In England the proportion is about 1 in 75.

Downing Street, July 1868.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS
to Governor the Honorable Sir J. H. T. MANNERS SUTTON, K.C.B.

(No. 112.)

Sir,

Downing Street, December 8, 1868.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 52*, of the 28th of March, in which you furnish me with the information respecting the prisons in Victoria which was invited by my circular Despatch of the 18th of June 1867. * Page 112.

I enclose, for your information, a digest which has been prepared in my department of the information supplied in your despatch.

From the report of the debate on the vote for the penal department, which took place in the Assembly on the 3rd of April 1867, I learn that there is some dissatisfaction in parliament with the system of prison discipline at present obtaining in the Colony; and the question has, as I understand, been referred to a Royal Commission.

It may assist the Commissioners to be furnished with the enclosed copies of the paper on prison discipline which was prepared under the direction of the Earl of Carnarvon, primarily for the use of the Colonies, and which was afterwards presented to Parliament by command of Her Majesty, and also circulated by Sir Stafford Northcote in India.

In this paper the Commissioners will find a very full exposition of the principles which, after much experience and inquiry, the English Government has adopted, principles which differ in important points from those now obtaining in Victoria.

I have, &c.,

(Signed) BUCKINGHAM AND CHANDOS.

Governor the Honorable Sir J. H. T. Manners Sutton, K.C.B.

&c. &c. &c.

QUEENSLAND.

COPY of a DESPATCH from the Officer administering the Government to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 58.)

Government House, Brisbane, Queensland,
July 7, 1868.

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 25th February 1868, calling my attention to a previous communication of the 18th June 1867 on the subject of Colonial Prisons, &c., to which it would appear no answer had been returned.

2. I have referred to the copies of correspondence in this office, and I find that although no answer to your Grace's Despatch of the 25th February is on record, yet that Sir George Bowen replied very fully to that of Mr. Cardwell of the 17th January 1865 on the same subject, under date of the 2d September in that year.

3. Sir George Bowen directed the publication in the Government Gazette of the enclosures contained in Mr. Cardwell's Despatch above alluded to, but I cannot trace the mode in which the Digest of the answers forwarded in your Grace's communication of the 18th June 1867 were made public.

4. I can state, however, that the general question of the construction, government, and discipline of prisons is a subject which even in the last Session of the Legislature engaged the attention of a Select Committee of the Legislative Assembly of this colony, whose Report I beg to enclose; and I have little doubt that further inquiry and investigation into the same question will form a conspicuous feature in the business of the next two or three succeeding sessions, when I am sure the experience of the mother country, and the labours of the eminent men who have made that experience their study, will be used with highly beneficial results in guiding the decisions of the Colonial Parliament.

I have, &c.,

(Signed) M. C. O'CONNELL.

His Grace the Duke of Buckingham and Chandos.

&c.

&c.

&c.

REPORT—PRISON DISCIPLINE.

The SELECT COMMITTEE of the Legislative Assembly appointed on the 1st day of October 1867 "to inquire into the internal management and discipline of the Prisons of the Colony, and the construction and suitability of the Gaols and Lock-ups," have agreed to the following Report:

1. The subject matter of the inquiry entrusted to your Committee appeared to resolve itself into four principal questions, viz. :—

- a. Whether the gaols of the colony afforded sufficient accommodation for the criminals confined therein, and means for properly classifying, and otherwise maintaining strict discipline amongst, the inmates?
- b. Whether the prisoners sentenced to "hard labour" were really so employed, and, if so, in such a manner as to return anything to the colonial revenue for the cost of their maintenance?
- c. Whether it would not be within the range of possibility to utilize prison labour to a greater extent than at present?
- d. Whether some method might not be adopted of encouraging reformation amongst the prisoners, by holding out the hope of the remission of a portion of the sentence at the end of their term, such remission to be in proportion to the length of the sentence and the good behavior of the confine, and as a still further inducement by bestowing a small gratuity upon the day of release, proportionate in each case to the earnings of the prisoner?

Although your Committee generally adhered to the points set forth in the above questions as forming the principal basis of the inquiry, valuable information was obtained from many of the witnesses on other matters connected with "Prison Discipline," and your Committee believe that the evidence will be found both interesting and instructive to all who regard this subject as one of importance.

2. The evidence given by the different witnesses, who were personally acquainted with the internal arrangements of the several gaols, affords abundant proof of the insufficiency of the accommodation, as far as the classification of prisoners and the maintenance of strict discipline are concerned. Your Committee inspected the Brisbane Gaol, and found that the statements of the witnesses with reference to that establishment were fully borne out by facts, and your Committee would beg to submit the subjoined summary of particulars with reference to each establishment.

The Brisbane Gaol.—This establishment was erected prior to the separation of this colony from New South Wales, and in conformity with a design supplied by the colonial architect in Sydney. The structure is evidently unsuited to a climate like that of Queensland in every respect. However suitable the “back-to-back” arrangement of cells might have been found at Norfolk Island, it has proved a palpable failure here. The mode of ventilation adopted is not only imperfect, but the ventilators afford means of verbal communication between the occupants of the cells, which have been availed of on more than one occasion with unfortunate results; and, independent of the subversion of order and discipline likely to arise from such a method of communication, there are other inconveniences attendant upon it, which will present themselves to any attentive reader of the evidence. In the lithograph sketch which is appended to this report, it will be seen that Mr. Tiffin, the colonial architect, has prepared his plans for an additional wing (the erection of which may soon be required) upon the “corridor” principle, the superiority of which has been amply tested by experience. The construction of this gaol, moreover, renders it perfectly impossible for the authorities to carry out any system of classification whatever. The inmates have certainly been grouped together according to their characters and sentences, as well as the means at the disposal of the authorities permitted, but the evidence furnished by the Sheriff, the Visiting Justice, and the Governor (Mr. Sneyd), incontestibly establishes the fact that, with the present buildings, anything like a complete classification is impossible. The vilest and apparently the most irreclaimable confines are herded together with those whom it would be a charity to separate from their more accomplished companions in crime; and it is not too much to hazard the conjecture that, in many cases where a comparatively lenient sentence has been given, with the merciful idea of reclamation, the very opposite result is likely to ensue. Prison treatment should, in the opinion of your Committee, be reformatory as well as punitive, but such a result can never be attained with the insufficient accommodation now available. Your Committee ascertained, moreover, that this establishment has neither workshops, a hospital, nor punishment cells within its walls; and that a necessity exists for all these adjuncts the evidence clearly shows. Since the commencement of the Penal Establishment at St. Helena, it does not appear that the Brisbane Gaol has been subject to much overcrowding, but your Committee would recommend that a temporary wooden building of sufficient strength should be erected outside the front wall for the female prisoners, as recommended by the Colonial Architect and the Sheriff. The erection of such a building would place thirty-six additional cells within the prison at the disposal of the authorities, that being the number of cells in the female ward at present, whereas the average number of occupants is not more than 14 or 15, the great majority of whom are sentenced to short terms under the *Vagrant Act*. From a return furnished by the Sheriff, your Committee find that the outlay for this establishment in the year 1866 was 4,568*l.* 8*s.* 9*d.*, exclusive of certain items specified; that the average number of prisoners during the year was 137, and the cost per head to the state 45*l.* 8*s.* 1*3d.*

The Toowoomba Gaol.—The only witness examined in reference to this gaol was Mr. W. Murphy, the superintendent, who stated that there was really nothing for the hard labour prisoners to do beyond the cooking and wood-cutting required, and that any attempt at classification would be utterly hopeless, owing to the limited accommodation. A reference to the lithograph plan appended will show that there is not space for more than fourteen male and ten female prisoners at present, but the alterations suggested by the Colonial Architect (as shown on the plan) would increase the accommodation so far as to allow of the confinement of sixty-six prisoners. The additions suggested are on the corridor principle. It appears from the evidence of Mr. Tiffin that the defects in the plan and arrangements of the present buildings are to be accounted for by the fact that the sum placed at his disposal was limited, and that the amount would not admit of greater accommodation being afforded. At present, however, this gaol seems to be used more as a house of detention than a prison, inasmuch as the confines are principally persons sentenced to six or nine months imprisonment; occasionally a prisoner sentenced to twelve months is retained, but as a rule all over nine months are transferred to the gaol at Brisbane. One noticeable feature in connexion with this establishment is the apparently excessive cost of maintaining the prisoners, as compared with other gaols. From the return before alluded to your Committee learn that during 1866 the outlay amounted to 1,475*l.* 7*s.* 2*d.*, exclusive of certain items specified; that the average number of prisoners during the year was thirty-two, and the cost per head to the state 52*l.* 19*s.* 8*d.*, being more than 7*l.* per head above Brisbane, and more than 8*l.* above Rockhampton. [Since the evidence of the Sheriff was taken, that officer has informed the Chairman of your Committee that the prisoners have sunk a well within the confines of the gaol, which will afford a permanent supply of good water, the cost of the necessary fittings being not more than 30*l.* Mr. Halloran also states that this gaol is now being supplied with firewood by prison labour, and that fuel and water, as now procured, will effect a saving of 120*l.* per annum in the expenditure.

The Rockhampton Gaol.—With regard to this establishment the only evidence taken was that of the Colonial Architect, and it would appear from his statements that, like the Toowoomba building, the Rockhampton Gaol is altogether unsuited for the purposes to which it is devoted, mainly owing to the fact that the money voted was insufficient. It seems, further, that the site originally marked out, and afterwards abandoned, would have been more suited for the erection of such a building as the present than that upon which it was actually built. Plans are appended showing the accommodation now afforded, with the proposed additions, and also a design for a new gaol on the corridor principle, the several wards radiating from a common centre. The construction of the proposed new building is estimated to cost 45,000*l.*, if built according to the design in its entirety. The return before referred to shows that the outlay for this gaol in 1866 was 1,566*l.* 5*s.* 10*d.*, exclusive of the items specified; that the average number of prisoners during the year was thirty-eight, and that the cost per head to the state was 44*l.* 16*s.* 8*3d.*

Before referring to other matters with which this report will have to deal, your Committee would beg to direct attention to the insufficient area of the reserves set apart for gaol buildings in the localities mentioned, in the hope that the error may be avoided in the future. The whole reserve set apart in Brisbane amounted to 9½ acres; the area within the present walls being only 1a. 3r. 27p. In this case the limited extent of the ground is more objectionable, because the outer wall abuts upon the public road on two of its sides. (See plan A.) The reserve for the Toowoomba Gaol (see plan F) altogether

AUSTRALIAN. is not more than 2a. 0r. 3p., of which the present erections occupy 3r. 26p. only. The buildings used at Rockhampton occupy not more than 3r. 3½p. within the walls. (*See plan D.*) Your Committee would suggest that, in the reservation of all areas for the erection of gaols throughout the colony, the probable requirements of the future should be held more in view than appears to have been the case hitherto. Mr. Tiffin points out that the area of the Pentridge Stockade, in Victoria, is somewhere about 120 acres within the walls, and that of the Darlinghurst Gaol, in Sydney, 3a. 3r.

3. *Rations, &c.*—The evidence of some of the witnesses shows that the scale of rations, as at present supplied, is ample, seeing that, with the exception of the penal establishment at St. Helena, the “hard labour” sentence may be looked upon as a nullity. Dr. Hobbs, in fact, states that “most of the cases [of sickness] which have come under his notice at the gaol have arisen from the derangement of the digestive organs from want of exercise and from the superabundance of food the prisoners are allowed.” The inspection made by your Committee of the rations as they were being served out at the Brisbane Gaol confirmed them in the opinion that the confines had no reason to complain of the quantity or quality of their food. It is true that the *quality* has occasionally been found fault with, but your Committee were informed that immediate steps have been taken to remove the cause of complaint. In the course of his evidence the Sheriff made some valuable suggestions as to the method of calling for tenders for rations, and your Committee consider that an improvement would be effected if that gentleman’s recommendations were adopted. Mr. Halloran proposes that tenders should be called for at so much per ration, instead of having to deal with a number of contractors as at present, and the forms he proposes [*see Appendix C, page 12*] appear to your Committee to supply all the checks and safeguards required. Tables giving full information as to the cost and particulars of the rations supplied at each gaol will be found at pp. 13 and 14.

4. *Hard Labour Sentences.*—Your Committee have made the most searching inquiries as to the character of the work assigned to prisoners who are sentenced to longer or shorter terms of penal servitude with hard labour, and they can only come to the conclusion that, with the exception of the confines at St. Helena, to whom reference will presently be made, such a sentence implies lenity rather than extra severity when compared with the position of those prisoners who are not sentenced to hard labour. Certain of the inmates of the Brisbane Gaol have been now and then employed by the Corporation in levelling and forming roads in the vicinity of the prison, but the easy-going manner in which the work was performed scarcely brought it under the category of “hard labour.” Moreover allowances were made by the Corporation to these prisoners, which allowances they were permitted to expend in the purchase of “indulgences,” in the shape of tea, sugar, tobacco, &c., while still under confinement. This may be called the *severest* form of hard labour to which any of the prisoners in the gaols have been subjected. Hard labour confines within the walls are employed at nothing more arduous than cooking, whitewashing, hat-making, and wood-cutting, the last-mentioned task being performed almost exclusively by aborigines. The cooking and whitewashing seem to be regarded as the heaviest punishments, and as to the hat-making your Committee agree with the Visiting Justice in saying that so far from its being “hard labour” it is “more a mitigation of punishment than otherwise,” as a kind of light employment more coveted than avoided, especially as it entitles the prisoner so occupied to the “hard labour ration.” The result of the present system, moreover, is to keep in perfect idleness the worst class of criminals confined, inasmuch as it is unsafe to permit of their being employed in such light duties as are performed by “short sentence men” and those of a more tractable class in the gangs outside the walls. With regard to the females “hard labour” sentences are not less farcical. They really have no employment whatever, beyond a little sewing and washing occasionally for the families of the gaoler and principal turnkey, and as they are principally of the most debauched class, the effect upon the better order of confines may well be imagined, seeing that all are alike unemployed, and that free intercourse cannot be prevented. These remarks apply with equal force to the establishments at Rockhampton and Toowoomba.

5. *Utilization of Prison Labour.*—This subject has been anxiously considered by your Committee, who in the course of the evidence have had several suggestions made to them having the desired end in view, and in the propriety of most of which suggestions they readily concur. The obstacles at present existing to any organized system appear to be manifold. The accommodation afforded by the present prison buildings is lamentably insufficient for the purposes of classification, without which little can be effected; the gaols are without the requisite buildings and appliances for workshops, &c.: and these matters will, we trust, engage the serious attention of the Government. The recommendations made by the different witnesses tend to show that, in the opinion of experienced men, such employments as stone-breaking, stone-cutting, shoemaking, and tailoring (for the prisoners), might be carried on with advantage within the walls, if accommodation permitted, and in these recommendations your Committee concur. The hat-making already referred to is described by Mr. Sneyd as being “altogether unfit for men,” and it has been shown that the women, for whom such light work is particularly adapted, are without employment of any kind worth mentioning. Your Committee cannot see, however, that there can be any insurmountable obstacles to the adoption, at a small cost, of some system under which the baking, tailoring, and shoemaking required for the establishment might be carried on within the walls; and when extensions are contemplated, the stone required might, under proper instructions, be prepared also within the walls. Your Committee would also point out that mat-making has been successfully carried on in the Sydney gaols, and might probably be introduced with advantage here, together with sugar mat-making and other profitable industries. The female prisoners might, in the opinion of your Committee, be profitably employed in making up the material required for the clothing of the different penal and other Government establishments. Under the present system the State is mulct in a large annual outlay for the support of prisoners in idleness; by employing them they would be made to assist in supporting themselves, and the burdens imposed on taxpayers would be proportionably lessened. It should not be forgotten, moreover, that the immunity from labour now enjoyed by the worst of our felon class, to a certain extent offers a premium for the commission of crime. It would even be worthy of consideration whether, in the absence of all remunerative labour, the “shot drill,” or other methods of employment adopted in military prisons, might not be availed of in this colony.

6. *Mitigation of Sentences, and Rewards for Industry and Good Conduct.*—Many of the witnesses examined before your Committee agreed in their opinion as to the advisability of adopting some method by which deserving and well-behaved prisoners should be encouraged, by holding out the hope of a partial remission of sentence, and the promise of a gratuity, proportionate to the earnings of each prisoner, on release from confinement. The first-mentioned plan has been adopted elsewhere with great advantage, and the gaol regulations of New South Wales show that the mitigation system has been adopted in that colony :—

AUSTRALIAN.

“ REMISSION OF SENTENCES.

“ 79. Prisoners will, by continuous good conduct and industry, become eligible to a remission of sentence, in proportion to the time served by them, in accordance with the subjoined scale. In cases of cumulative sentences the united period is to be deemed the term of sentence.

“ *Scale.*

- “ Sentences not exceeding five years, a service of five-sixths.
- “ Sentences beyond five but not exceeding ten years, a service of four-fifths.
- “ Sentences of more than ten years, a service of three-fourths of the term.
- “ But this regulation shall not be applied to sentences commuted from capital convictions, or those wherein the prisoner may be serving under a third conviction. Such prisoners shall not, however, be debarred from having the circumstances of their case taken into consideration. Prisoners serving under a second conviction shall lose one-half of the period of remission.
- “ (2.) By good conduct is meant not merely the prisoner's obedience to all prison and penal rules, but a readiness to assist in maintaining order, and a willingness as well as steady industry in every employment or work which may be required of him.
- “ (3.) Any portion of a prisoner's term of sentence passed under punishment inflicted for misbehaviour shall be deducted from his prescribed period of remission within the meaning of these regulations.
- “ (4.) Before the tenth day of each month the gaoler will forward to the Sheriff, in a form prescribed, a return of all prisoners in his custody becoming eligible by servitude for remission during the following month, with the necessary information in each case, for decision by the Governor; and such information shall include the returns of orderly and industrious, or idle and disorderly marks, as the case may be, earned or incurred by the prisoner, as also of his punishments and general conduct.
- “ (5.) In dealing with the cases sent in for remission, when the conduct of the prisoner is returned as ‘good,’ and he has earned the whole number of orderly and industrious marks obtainable, the full remission will be recommended.
- “ For every ‘disorderly’ mark he shall lose from his remission seven days.
- “ For every ‘idle’ mark he shall lose from his remission three days.
- “ And for each day when marked neither industrious nor idle, one day.
- “ (6.) Any prisoner will be allowed, at the commencement of each week, to be informed as to the marks allotted to him for the week preceding; and the gaoler will investigate any complaint that the prisoner may make upon the subject.
- “ (7.) Nothing in these regulations shall prevent leave being given to a prisoner, under very special circumstances, to petition the Governor in respect of such prisoner's conviction or sentence, or (where his conduct under punishment has been strikingly meritorious) for a remission, notwithstanding the non-expiration of his appointed period of service; but in all such cases inquiry into the facts must first be made and the sanction of the Sheriff obtained.”

The evidence of Captain Hill and others establishes the fact, that well-behaved prisoners become proud of their “good conduct marks” or badges; and the adoption of some such system would, in the opinion of your Committee, not only tend to facilitate the preservation of discipline within the prisons, but would greatly lessen the chances of a prisoner's relapse into crime.

A plan has been in vogue by which a certain proportion of a prisoner's earnings by hat-making or otherwise has been allotted to him, and he has also been permitted to purchase certain articles of luxury with that proportion. Your Committee are of opinion that, while these indulgences need not be wholly stopped in the cases of well-ordered prisoners, a debtor and creditor account of the earnings and expenditure of each prisoner should be kept, and that matters should be so arranged as to permit of the gaoler, or other authorized person, handing to the confine, *at the time of his release*, a sum proportioned to his industry and good behaviour. To place the earnings in one common fund, and bestow them upon good and bad alike, appears to your Committee manifestly unjust; while, in their opinion, the effect of the plan indicated, if administered strictly in accordance with the “mark” system, on principles hereafter to be determined on by a commission, would be in the highest degree satisfactory. Prisoners released with a small sum of money in their pockets would have no immediate incentive to further crime, and would have the means afforded to them of seeking employment at a distance from the spot where they committed the offence for which they had suffered. To render such a plan effectual, however, your Committee consider it desirable that the gratuity, if any, should be given at the time of actual release.

7. *The “Lash” and “Punishment Cells.”*—Your Committee have learned with satisfaction that the “lash” has been resorted to in but few instances, and that its application has been most effectual in those cases. But one instance occurred in the Brisbane Gaol during a period of fifteen months. Your Committee would earnestly recommend the immediate erection of “punishment cells” in the central gaol, which should be so constructed as to secure all the punitive appliances which are furnished by the silent system,—absence of light, perfect impracticability of holding communication with neighbouring

AUSTRALIAN. confines, and sufficient ventilation. Probably there would have been no necessity in some cases to resort to the lash if such cells as those described had been available.

8. *Religious and Scholastic.*—It does not appear that the penal establishments in Brisbane have suffered in the matter of religious exercises and attendance by the absence of official chaplains, services having been held for the most part with regularity, by clergymen of various denominations. It would appear to your Committee to be desirable that a competent person should be appointed to the office of school-master—a person selected not merely because of his acquirements as a teacher, but one who would enter feelingly into the peculiar character of his avocation, and who would endeavour to “educate” his unfortunate pupils, in the full sense of the term.

Penal Establishment at St. Helena.

9. This experimental establishment your Committee deemed worthy of treatment in a separate form. At the time your Committee visited the island there were seventy-nine (79) prisoners confined there, sentenced principally to short terms of imprisonment; and their labours had been, and were being, chiefly employed in the erection of necessary buildings, and clearing the island for purposes of cultivation. The soil appears to be remarkably rich, and capable of growing sugar, cotton, or any product for which the climate of the colony has been found suitable.

10. The prisoners appear to be remarkably healthy, the only complaint being, and that by the well-known idlers, that they have to work harder than they did in the gaol. Many cases of excellent conduct are to be found, and the recommendations previously offered with regard to the mitigation of sentences for good behaviour will apply to this establishment as well as to the gaols.

11. The opinions of the witnesses as to the employment of a military guard were decided and explicit. Mr. McDonald, the Superintendent, who has himself seen hard service in the army, says that his staff “would be more efficient if he had warders instead of military. The soldiers are very useless as to the carrying out of works. I have tried them over gangs of men, and I found that the men did not do more than about a third of what they should have done.” Mr. McDonald further expresses the opinion that it would be better to employ an additional number of warders than to retain the military guard, although there might be an increase in the cost, inasmuch as more work would be done by the prisoners. The Honourable W. Thornton, M.L.C., the Visiting Justice, also stated that it would be more advantageous to the Government to employ five extra warders instead of the nine soldiers, and urged as an objection to the military guard that, while “a soldier conceives his only duty is to prevent the prisoners from escaping,” a warder “considers it his duty to see that the prisoners do a fair amount of work.” Mr. Thornton estimates the cost of such a change at 400% over and above the present expenditure, but thinks that the Government would be compensated for such extra expenditure by the additional labour performed. Your Committee would recommend that serious attention should be given to this subject, inasmuch as it is one which will gravely affect not only the preservation of order and discipline, but will also have a material bearing upon the efforts made to render the establishment self-supporting.

12. Both Mr. Thornton and Mr. McDonald are of opinion that the St. Helena establishment will eventually prove profitable to the colony; and the evidence of each witness is valuable both for the suggestions made and the information given.

13. Your Committee are of opinion that, when proper security can be given for the safe custody of prisoners, by having the island thoroughly cleared and the necessary buildings completed, this establishment should be maintained principally as a general receptacle for the long-sentenced criminals, for whom, as has been shown, no labour of any kind can now be found.

14. It would also appear to be desirable that, at the earliest possible opportunity, the island should be connected with the mainland by means of the electric telegraph. The cost would not be great, and the advantages which would accrue, in case of a sudden outbreak on the part of the prisoners, must be obvious.

15. In conclusion, your Committee would recommend, if your honourable House should see fit to approve of the suggestions conveyed in the foregoing Report, that a Commission should be appointed to draw up regulations in accordance therewith; such Commission to consist of the Sheriff, the Visiting Justices of St. Helena and the Brisbane Gaol, and the Police Magistrate of Brisbane; and that such regulations, immediately after being approved of by the Executive, should have full force and effect. Your Committee would further recommend that such regulations should be laid before Parliament as soon as it next assembles.

Committee Room,
February 4th, 1868.

THEOPHILUS P. PUGH,
Chairman.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor BLACKALL.

(No. 47.)

SIR,

Downing Street, October 14, 1868.

I HAVE had under my consideration Mr. O'Connell's Despatch, No. 58*, of the 7th of July, in which he furnishes me with copies of a Report from a Committee of the Legislative Assembly of Queensland on Prison Discipline.

2. The Committee seems to me to have conducted their inquiry with thoroughness and ability; as, however, the subject of prison discipline is soon to engage the attention of the Parliament, it may not be superfluous for me to indicate those points in which the

practice of Queensland and the conclusions of the Committee are at variance with principles which are considered to be established with more or less of certainty by English experience. AUSTRALIAN.

3. The prisoners confined in Brisbane Gaol are employed in making cabbage-tree hats and occasionally in mending roads. In the other gaols the prisoners are idle.

The Committee condemn very strongly the employment of prisoners in hat-making. They desire the substitution of some severer kind of industrial labour.

The experience of England is that no form of industrial labour is so deterrent as what is called "strictly penal labour"—that is, labour by tread-wheel, crank, or shot-drill—and that it is a short-sighted economy to sacrifice such penal efficacy as can only be obtained by means of *penal* labour to considerations of immediate profit. The produce of prisoners' labour can never in this country be made to cover the cost of maintaining them. The higher value of labour in Australia may somewhat vary the debtor and creditor account, but it will probably always be found that, the number of prisoners being greater in proportion as prison labour is less repulsive, the result is an increasing prison expenditure, which the labour of the prisoners does not do much to abate, whilst the community suffers by the commission of more crimes. It is considered in this country, and if the experiment shall be made it will probably be found in Queensland, that prisoners sentenced for short terms, and those working out the earlier stages of long ones, may best be employed exclusively at penal labour. In the later stages of long sentences industrial employment may properly take the place of penal labour, those employments being selected which require least instruction, are most severe, and can be done by task. Stone-breaking fulfils these conditions, and in Queensland it appears it would be a highly remunerative form of employment.

4. It was given in evidence before the Committee that the prisoners sometimes leave part of their food uneaten, and, further, that the diseases common in the gaols are those which would be induced by overeating.

In England it is now held that the meagreness and plainness of the diet may properly be made a part of the punishment, and the dietaries of our county gaols have accordingly been generally fixed at a point as low as is consistent with the preservation of health. Such a diet, besides being deterrent, has the advantage of being cheap.

5. In Queensland the prisoners are encouraged to industry and good conduct by rewards. In England likewise gratuities may be earned by industry, but the system is differently administered.

In Brisbane Gaol a prisoner who makes a cabbage-tree hat gets the price it fetches; if he is employed by the corporation he is paid 3*d.* a day, and if he knows a trade he is paid much more.

In England gratuities are not given in county gaols, but only to prisoners undergoing the long punishment of penal servitude. The amount of gratuity which is earnable in England is much less than in Queensland. The convict in England may forfeit his gratuity by misconduct. In England he is paid, not the price of his work, but for *extra* diligence at his work; and not at any work, but only at some severe bodily labour such as stone dressing and quarrying.

In Queensland the prisoner is allowed to spend his gratuity as soon as he earns it, on tobacco "and other luxuries." In England it is all saved for him till his term expires, and even on his release is not generally given him in a lump.

I may remark in passing that in England it is a crime punished with no inconsiderable term of imprisonment to introduce into a gaol those luxuries which the turnkeys in Brisbane have openly trafficked in with the prisoners.

6. As Brisbane Gaol is built to admit of the separate system, I presume that the advantages of that system are appreciated in Queensland, and that provision will be made in any prisons which may hereafter be built for individual separation.

7. I have thought it not improper to call your attention to these differences of the prison system of Queensland from that in England, being confident that your advisers will be glad to have any information respecting the well-wrought-out results of English prison experience.

I have, &c.

(Signed) BUCKINGHAM AND CHANDOS.

Governor Blackall,
&c. &c.

AUSTRALIAN.

No. 37.
Tasmania.

No. 37.

TASMANIA.

COPY of a DESPATCH from Governor T. GORE BROWNE,¹ C.B., to his Grace the Duke of BUCKINGHAM AND CHANDOS.

(No. 38.)

Government House, Hobarton, Tasmania,
November 25, 1867.

MY LORD DUKE,

I HAVE the honour to inform you, that I have recently visited and inspected the penal settlement at Port Arthur, and on my departure recorded my entire approval of the admirable order and cleanliness maintained there, and also, under existing circumstances, of the system generally.

2. Mr. Boyd, the Civil Commandant, is entitled to the greatest credit for his zeal, ability, and firmness, and for his power of controlling (without having recourse to corporal punishment) men of whom the greater part have been frequently convicted, and who are the scum of the old prisoners originally sent out from England.

3. It is, however, due to Mr. Boyd and myself to say, that until I saw "the Digest, and Summary of answers from Colonial Governors to Circular Despatches, 16th and 17th January 1865," I assumed that the reduction of the cost of the establishment by the employment of the prisoners at reproductive works, as well as at labour which must otherwise be performed by free men, was a subject upon which I had no choice; for this reason I have never proposed to introduce any change which would be incompatible with the reproductive system pursued at Port Arthur, nor do I propose to do so now.

4. The Crown prisoners who still remain are, as I have before stated, men of whose reformation there is no hope, and when they die off Her Majesty's Government will cease to have any interest in the penal discipline of the Colony.

5. The Colonial prisoners greatly exceed the Imperial in number, and the views of the Colonial Government with reference to them are shown by their removing men, whenever they can do so safely, for the sake of their labour, and by frequent inquiries in the local Parliament why the convicts are not made to defray more of the cost of their maintenance. (See my Despatch 88, 10th September 1863.)

6. Under these circumstances I am inclined to believe that the existing system (on the details of which it would occupy too much of your Grace's time to enter now) is perhaps the best which could be made acceptable to both the Governments interested.

7. It may, however, not be out of place to state the results of some years of careful observation upon this and other large penal establishments in Tasmania.

8. Criminals look first to the great chance of escaping detection, and next to the extreme variety of sentences awarded by judges for the same offence both in England and the Colonies, always thinking it will be their luck to get a lenient sentence.

9. I gather from the prisoners themselves that no punishment which admits of communion with each other is likely to act as a preventative to the commission of crime, but they have a great dread of the solitary system as in force in the separate prison at Port Arthur.

10. Detention in the separate prison cannot, however, be maintained beyond a year and a half at the utmost without serious injury to the health, and as soon as the prisoner is released and allowed to work with others he enters a college in which vice is taught in every form by professors, who relate their risks and escapes as soldiers talk of battles fought and hardships endured, and with quite as much pride and self-satisfaction; their teaching is a labour of love, and is rarely addressed to unwilling ears.

11. In fact, I may say, on the authority of those who have charge of prisoners, as well as on that of prisoners themselves, that when once a man joins the gangs (though they are classified as far as possible) the hope of reformation is but small, and even that hope is destroyed by the brand which a penal sentence necessarily attaches to every man when he leaves a prison, and which necessarily excludes him from respectable society.

12. If these data are correct, it is evident that attention should be turned to the AUSTRALIAN following points:

1. Greater vigilance on the part of the detectives, and an increase of their force, in order to dispel the hope of escape.
2. Less arbitrary awards of punishments, obtained possibly by a conference of judges with each other.
3. The appropriation of prisons to particular classes of convicts, so that punishment might be specially and easily adapted to that particular class, and that communication between men of different classes should be made impossible.
4. Invariable separate treatment, and the utmost severity of punishment, not incompatible with humanity.
5. The limitation of sentences to very short periods, to be increased for the repetition of offence.
6. The organization of benevolent societies to receive and aid prisoners on their release from gaol, and thus to give them a possibility of escape from old associations; and reformatories to which the youth of both sexes may be sent instead of to a prison.

13. Finally, prisoners intended to be detained for life should be treated on an entirely different plan, and in a separate establishment; for in their case reformation, as regards the public, is a matter of no importance. They are detained because their enlargement would be dangerous to society, and the chief object is their safe custody, and such employment as may diminish the cost of their maintenance, and make a difference between a prison and an asylum for respectable people.

14. Such a system as that which I have here indicated is not, however, applicable to the establishments which are under my immediate control, and I have to apologize for troubling your Grace on the subject. But having now watched the large penal establishments in this Colony for six years with considerable interest, I have taken advantage of this report to state my views; and believing as I do, that under existing systems the sentence which condemns a youth to an ordinary prison for a first offence, condemns him generally to a life of crime, and the public to his maintenance for the greater part of that life, I trust your Grace will pardon my having done so.

I have, &c.

His Grace the
Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed) T. GORE BROWNE.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to Governor T. GORE BROWNE, C.B.

(No. 5.)

SIR,

Downing Street, February 12, 1868.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 38*, of the 25th November, furnishing a report on the Convict Establishment at Port Arthur. * Page 120.

The results of your local observation and experience, so clearly expressed in this Despatch, are a valuable corroboration of the views and principles derived in this country from a more general experience.

With respect to the subject of separation it is to be regarded as an essential, but by no means an exclusive, element in prison discipline, and you should observe that all that is recommended is that the whole of short sentences, and a minimum portion (the earlier portion) of long sentences, should be passed in strict separation, and this not so much with a view to reformation, which you regard as hopeless, as with a view to deterrent effect, for which you find it to be specially efficacious.

With reference to your statement that detention in the separate prison cannot be maintained beyond a year and a half without injury to health, I have to observe that in this country the first nine months of long sentences is considered a long enough period for strict separation accompanied by strictly penal labour by means of the

AUSTRALIAN. treadwheel, or crank, or shot-drill, after which associated and industrial labour is substituted, preserving however strict separation by night throughout the sentence, and perhaps remanding the convict to strict separation for one or two months immediately preceding his release.

I have, &c.

(Signed)

BUCKINGHAM AND CHANDOS.

Governor T. Gore Browne, C.B.,
&c. &c. &c.

No. 38.
South
Australia

No. 38.

SOUTH AUSTRALIA.

COPY of a DESPATCH from Governor Sir D. DALY to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 52.)

MY LORD DUKE,

Government House, Adelaide, October 22, 1867.

REFERRING to your Grace's Circular Despatch of 18th June, I have the honour to inform you, in compliance with the last paragraph of that Despatch, that copies of the Digest and Summary on the subject of prison discipline were distributed among the principal executive officers of the prisons in this Colony. The copy of Despatch of the same date to which your Grace refers as Enclosure No. 2. in your Despatch of the 18th June has not reached me, having, I presume, been omitted accidentally.

I have the honour to transmit herewith, for your Grace's information, copy of a report from the superintendent of convicts, made after the perusal of the document referred to, and I trust that the explanations of that officer will be deemed to be satisfactory in regard to the objections that were taken to some portions of the system which obtains in South Australian prisons.

I have, &c.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

(Signed) D. DALY,
Governor.

REMARKS suggested on perusal of accompanying papers.

The principle as laid down in these papers for the management of the prisons in England may be applied with beneficial results to the common gaols in this Colony; it is nothing more than an obsolete system reproduced from necessity from want of better means of employing their criminals.

I cannot agree with that portion of this report which recommends treadwheel, crank, and shot-drill as the only effective mode of enforcing penal labour for early stages of punishment.

The South Australian system is ten years in advance of the English system, it combines the strictly penal with the industrial, and exacts hard and productive labour throughout the whole sentence. If the treadwheel and crank are deterrents, ten hours labour per diem at excavating, quarrying, and truck-loading, &c., in an Australian climate, I think are more so.

The Commission on penal servitude (1863) recommends for convicts the quarrying and dressing of stones as requiring little space, easily learnt, severe, unfavourable to communication, comparatively profitable, and valuable to the prisoners after liberation (vide Notes on Hard Labour, pages 70, 71); in all other matters our system is in accordance with the principles set forth in these papers.

The mark system, which is similar to ours, is recommended, but nothing is mentioned about second and third time convicted prisoners being excluded from participating in such indulgence.

The dietary scale for English prisons is a luxury compared with ours, although mentioned as being high; it is as monotonous as it is possible to make it consistent with health, and any reduction of the present scale would seriously diminish the capacity of the convicts for labour. I would recommend a uniform dietary scale for all the prisons in the Colony, particularly where no hard labour is enforced; and I think a progressive dietary may be introduced with beneficial results, but this is a purely medical question.

Taking into consideration the state of religious matters in this Colony (with no Established Church) I could not recommend any departure from the present system. Four religious denominations

are represented, viz., Church of England, Congregational, German Lutheran, and Roman Catholic, and AUSTRALIAN. the whole of the convicts receive religious instruction.

The Rev. H. M. Pollitt and C. Maschmedt impart secular instruction to several members of their respective congregations, and they can at all times obtain assistance from the prison officers.

Regulations as to letters, vide page 61.

I would recommend that all letters detained by prison authorities in consequence of containing matter that may affect the discipline of the establishment should be referred to the visiting magistrates.

Dry Creek Labour Prison,
9th October 1867.

(Signed) F. W. HOWELL,
Superintendent of Convicts.

No. 39.

WESTERN AUSTRALIA.

No. 39.

Western
Australia.

COPY of a DESPATCH from Governor HAMPTON to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 153.)

MY LORD DUKE, Government House, Perth, September 20, 1867.

IN compliance with the instructions contained in your Grace's Circular Despatch, dated 18th June 1867, I have the honour to report that I have invariably acquitted myself of responsibility in regard to removing remediable defects of the prisons of this Colony in a manner similar to that mentioned in the conclusion of the enclosed copy of a letter from the Comptroller General; but I have recently refrained as much as possible from sanctioning alterations or additions, because the cessation of transportation at the end of the present year will speedily render the existing prison accommodation more than sufficient for prisoners of all classes.

I have, &c.

(Signed) J. S. HAMPTON,
Governor.

His Grace the Duke of Buckingham and Chandos,
&c. &c. &c.

SIR, Comptroller General's Office, Perth, September 14, 1867.

IN reference to certain passages in the blue book relative to colonial prison discipline enclosed in the Duke of Buckingham's Circular Despatch, dated 18th June 1867, I have the honour, as requested by your Excellency, to offer the following remarks:—

Page 43. "The Fremantle and Perth prisons appear to be structurally sufficient, except that the cells are too small and not numerous enough. The depôts are unsuited for their use as prisons, and are in fact merely rough barracks for convicts employed in the country districts."

On this passage I have only to observe that the cells in the Fremantle prison are as a rule occupied by prisoners at night only, the men being employed during the day on public works in the open air. I have no reason to think that the cells are "not numerous enough" for the number of prisoners to be accommodated, and in fact there are usually many cells vacant in the Fremantle prison. The depôts in country districts, while they cannot pretend to vie with the permanent prisons of Fremantle and Perth as regards structure, do nevertheless supply accommodation of a highly suitable description as affording an intermediate stage between mere prison life and the very rough mode of living to which the convicts are under the necessity of adapting themselves in the bush when they obtain the comparative liberty of "tickets of leave."

Page 63. As regards the insufficiency of the number of warders stated to exist at Fremantle, Perth, and the depôts (that is generally throughout the Colony), I need not say more than that the number of warders has been kept at a low figure from motives of economy. The remark relative to the Perth Prison "no lavatory and but five tubs for baths" has already been met by the provision of a suitable lavatory and bath.

I have, &c.

His Excellency the Governor,
&c. &c. &c.

(Signed) HENRY WAKEFORD,
Comptroller General.

AUSTRALIAN.

No. 40.
Falkland.
Islands.

No. 40.

FALKLAND ISLANDS.

COPY of a DESPATCH from Governor ROBINSON to his Grace the Duke of
BUCKINGHAM AND CHANDOS.

(No. 77.)
MY LORD DUKE,

Government House, Falkland Islands,
December 17, 1867.

I HAVE the honour to acknowledge the receipt of your Grace's Circular Despatch of the 18th June, enclosing a copy of a Digest and Report on Prison Discipline, together with a copy of the Prisons Act, 1865, 28 & 29 Vict. c. 126.

2. I had not failed to devote my best attention to this important and interesting subject, and I proceed to report the steps which I have already taken, and propose to take, in the matter.

3. Firstly, I beg to submit copies of an estimate and plans for a new gaol (the present building being dilapidated beyond the possibility of repair) of which I approved some time ago, and for which I am now collecting materials as rapidly as the funds at my disposal will allow. Of the amount annually granted for public works (500*l.*) it takes about one half to keep the government buildings, boats, roads, &c. in proper order; the remainder of the grant (the row of stone cottages commenced by Governor Moore in 1861 having been recently finished) I propose to devote for the next few years to the erection of the new gaol, and, as indicated in paragraph 15 of my Despatch No. 15 of the 26th September 1866, I hope to complete the building without making application to your Grace and to Parliament for any special grant for the purpose. Of course work conducted in this manner will be necessarily slow, and the surveyor general informs me that, employing only the usual staff of government workmen, he will not be able to carry out his plans in less than three years, called off as the men must be from time to time for the purpose of effecting necessary repairs to existing buildings, and undertaking any unexpected matters of an urgent and pressing nature. Three years certainly seems a long time to require for a work which is to cost less than 800*l.*; but your Grace is aware that I have not at my disposal the facilities which are enjoyed in other colonies where workmen are plentiful and labour cheap, and where the requisite materials can always be had at a moment's notice.

4. The proposed gaol will be a substantial and commodious building. It will contain, in addition to apartments for the gaoler and his family, 11 solitary cells, 2 cells to contain four persons if necessary, a day ward for male prisoners, a day ward for female prisoners, a bath room, 2 lavatories, 2 waterclosets for the use of prisoners in ill health, with male and female necessities in the yard. There will be ample accommodation to meet all the requirements of the Colony for many years to come.

5. Referring to the last paragraph of your Grace's Despatch, I beg to say that I have not endeavoured to improve the construction or plan of the present gaol, feeling that the building is so unsuited to its purpose, and so hopelessly bad in every respect, that to do so would be to throw away the money intrusted to my care; but by frequently visiting the prison when least expected, and by requiring the stipendiary magistrate and the colonial surgeon to do the same, and report to me any irregularities which they may observe, I succeed in keeping the place clean and tolerably well ventilated, and in maintaining as strict a system of deterrent discipline as is possible under the circumstances detailed at page 60 of the Digest which accompanied your Grace's Despatch.

6. There has been no case of sickness in gaol since my assumption of the government. The commitments have averaged only two per month during the year now drawing to a close. Of these prisoners two belonged to the Colony, the remainder to vessels lying in the harbour.

I have, &c.

(Signed) WILLIAM ROBINSON,

His Grace the Duke of Buckingham and Chandos,

Governor.

&c.

&c.

&c.

COPY of a DESPATCH from his Grace the Duke of BUCKINGHAM AND CHANDOS to
Governor ROBINSON.

(No. 33.)

SIR, Colonial Office, March 21, 1868.

I HAVE received your Despatch, No. 77*, of the 17th December last, in reply to my Circular Despatch of the 18th June preceding, on the subject of prison discipline. * Page 124.

When the new gaol is completed, of which you have furnished an estimate and plans, it will apparently enable you to give full effect to the separate system. I do not doubt that you will take such means as are at your disposal of rendering imprisonment adequately deterrent, and that you will have arranged the diet on as low a scale as can be established without injurious effect on the prisoners' health.

I have, &c.

Governor Robinson,
&c. &c.

(Signed) BUCKINGHAM AND CHANDOS.

LONDON:

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Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

PRISONS (RELIGIOUS INSTRUCTION).

RETURN to an Address of the Honourable The House of Commons,
dated 27 March 1868 ;—for,

“RETURNS of the COUNTY and BOROUGH PRISONS of *England* in which
RELIGIOUS INSTRUCTION is afforded to PRISONERS of different
Denominations, specifying which and at what Cost to each :”

“And, of the Number of PRISONERS in each PRISON, and to what
DENOMINATION they belong :”

“The RETURNS to be made up to the 2nd day of April inclusive.”

(*Mr. Maguire.*)

Ordered, by The House of Commons, to be Printed,
19 May 1868.

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RETURNS of the COUNTY and BOROUGH PRISONS of *England* in which RELIGIOUS INSTRUCTION is afforded to PRISONERS of different Denominations, specifying which, and at what Cost to each; and, of the Number of PRISONERS in each PRISON, and to what DENOMINATION they belong; RETURNS made up to the 2nd day of April, inclusive.

BEDFORD COUNTY GAOL.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868, and to what Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	111
Wesleyans	-	-	-	-	-	-	-	-	10
Baptists	-	-	-	-	-	-	-	-	13
Primitive Methodists	-	-	-	-	-	-	-	-	10
Independents	-	-	-	-	-	-	-	-	3
Presbyterian	-	-	-	-	-	-	-	-	1
Lutheran	-	-	-	-	-	-	-	-	1
Roman Catholics	-	-	-	-	-	-	-	-	9
TOTAL									158

Of the above numbers, all attend Divine service in the prison chapel; and of the nine Romanists, seven attend the chapel at their own request.

Religious instruction is afforded to prisoners at a cost of 300*l.* per annum, the salary of the chaplain.

15 April 1868.

Robert Evan Roberts, Governor.

BERKS COUNTY GAOL, READING.

STATEMENT of the Number of Prisoners confined in this Gaol on the 2nd of April 1868, of different Religious Denominations.

Church of England	-	-	-	-	-	-	-	-	121
Dissenters	-	-	-	-	-	-	-	-	3
Roman Catholics	-	-	-	-	-	-	-	-	10
TOTAL									134

The chaplain of the gaol receives a stipend of 250 *l.* per annum, and Dissenters willingly receive his ministrations.

The Roman Catholic priest has full permission to visit Roman Catholic prisoners, which duty he performs without any remuneration.

7 April 1868.

Sam. Ferry, Governor.

BUCKS COUNTY PRISON, AYLESBURY.

No religious instruction is given to the prisoners in this county prison of any denomination different from that of the Established Church of England.

6 May 1868.

Acton Tindal, Clerk of the Peace.

HOUSE OF CORRECTION, BUCKINGHAM.

No religious instruction is given to the prisoners, except by the chaplain of the gaol.

4 May 1868.

D. P. King, Clerk to the Visiting Justices.

CAMBRIDGE COUNTY GAOL, CHESTERTON.

RETURN of the Number of Prisoners of different Denominations in the above Gaol to whom Religious Instruction is afforded, specifying the Cost and the Number of Prisoners, and to what Denomination they belong, up to the 2nd of April inclusive.

Independents	-	-	-	-	-	-	-	-	14
Wesleyans	-	-	-	-	-	-	-	-	18
Baptists	-	-	-	-	-	-	-	-	13
Primitive Methodists	-	-	-	-	-	-	-	-	11
Presbyterians	-	-	-	-	-	-	-	-	2
Roman Catholics	-	-	-	-	-	-	-	-	9
Mormon	-	-	-	-	-	-	-	-	1
Church of England	-	-	-	-	-	-	-	-	200
No Denomination	-	-	-	-	-	-	-	-	18
TOTAL									286

No provision is made for any religious teaching otherwise than the Church of England, and no prisoner objects to such teaching except the Roman Catholics, and on application a priest is communicated with, and visits them without any cost to the county. As a rule the prisoners of different denominations can give no explanation of the peculiarities of the sect to which they profess to belong.

9 April 1868.

R. Gibson, Governor.

BOROUGH GAOL, CAMBRIDGE.

RETURN of the Number of Prisoners in Custody in the above Gaol on the 2nd of April 1868, showing to what Religious Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	51
Roman Catholic	-	-	-	-	-	-	-	-	1
TOTAL									52

The regular appointed chaplain (Church of England) has a salary of 80*l.* per annum. We have no other paid religious instructor; but all prisoners differing from the Established Church are allowed freely to be visited by their respective pastors, and intimation is always given when such visits are required or deemed desirable.

6 April 1868.

Elliot Smith, Mayor.

HOUSE OF CORRECTION, ELY.

RETURN of the Number of Prisoners confined in the above Gaol on the 2nd of April 1868, and to what Denomination they belong.

Members of the Church	-	-	-	-	-	-	-	-	19
Roman Catholic	-	-	-	-	-	-	-	-	1
Baptist	-	-	-	-	-	-	-	-	1
TOTAL									21

There is only a chaplain belonging to the Church of England appointed to minister in the above-named prison; the salary is 75*l.* per annum. No ministers of any other denomination have been appointed under the recent Ministers Act; but prisoners of any other denomination are allowed to see their own ministers if they require it.

11 April 1868.

George Bulstrode.

HOUSE OF CORRECTION, WISBEACH.

RETURN of the Number of Prisoners in the above Gaol on the 2nd of April 1868, and to what Religious Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	16
Roman Catholics	-	-	-	-	-	-	-	-	2
Baptists	-	-	-	-	-	-	-	-	3
Methodists	-	-	-	-	-	-	-	-	2
Wesleyan	-	-	-	-	-	-	-	-	1
TOTAL									24

A clergyman of the Church of England is the only salaried religious instructor in this prison. Salary, 75 *l.* per annum.

Ministers of denominations differing from the Church of England are admitted to all prisoners desiring their instruction, to whom no salaries are paid.

W. Moore, *Hugh Pigot,*
W. G. Townley, *J. Brown,*
Chas. Metcalfe, *Henry W. Ward,*
Visiting Magistrates.

CHESTER COUNTY GAOL.

RETURN showing the Religious Instruction afforded to different Denominations, specifying which, and at what Cost to each.

Number in Custody on 2nd April 1868.	DENOMINATION.	Instruction Afforded.	Cost.
67	Established Church - -	Chaplain visits daily, and officiates as directed in Prison Act.	300 <i>l.</i> per annum.
34	Roman Catholics - -	A priest visits about twice in each week.	Gratuitous.
2	Wesleyans - - - -	May see a minister of their own persuasion upon application.	
1	Primitive Methodist - -		
1	Independent Methodist - -		
1	Presbyterian - - - -		
1	Baptist - - - -		
107	- - - TOTAL.		

April 1868.

J. B. Manning, Constable of Chester Castle.

HOUSE OF CORRECTION, KNUTSFORD.

RETURN of the Number of Prisoners in Gaol on the 2nd April 1868, showing the different Religious Denominations to which they belong, and the Salary of Chaplain and Roman Catholic Priest.

Church of England	-	-	-	-	-	-	-	-	171
Roman Catholics	-	-	-	-	-	-	-	-	72
Methodists	-	-	-	-	-	-	-	-	28
Presbyterian	-	-	-	-	-	-	-	-	1
Unitarian	-	-	-	-	-	-	-	-	1
Calvinist	-	-	-	-	-	-	-	-	1
Jews	-	-	-	-	-	-	-	-	2
TOTAL									276

A permanent chaplain of the Church of England, salary 300 *l.* per annum.

A Roman Catholic priest, salary 40 *l.* per annum.

Service on Sundays, and occasional visits during the week

4 April 1868.

Geo. Gallop, Governor.

DERBY COUNTY PRISON.

RETURN of the Number of Prisoners Committed to the above Gaol during the Year ending the 2nd of April 1868, and showing the Religious Denomination to which they belonged.

Church of England	-	-	-	-	-	-	-	961
Roman Catholics	-	-	-	-	-	-	-	206
Wesleyans	-	-	-	-	-	-	-	343
Baptists	-	-	-	-	-	-	-	54
Primitive Methodists	-	-	-	-	-	-	-	33
Non-Conformists	-	-	-	-	-	-	-	4
Unitarians	-	-	-	-	-	-	-	8
Quaker	-	-	-	-	-	-	-	1
Presbyterians	-	-	-	-	-	-	-	7

TOTAL - - - 1,617

A chaplain is appointed, who gives instruction to all (except Roman Catholic) prisoners committed to this prison, at a cost of 272*l.* per annum.

A Roman Catholic priest visits prisoners of that persuasion once a week, and supplies them with books and instruction without cost to the county.

6 April 1868.

J. H. Sims, Governor.

DEVON COUNTY PRISON.

RETURN of Prisoners in Custody in the above Prison on the 2nd of April 1868, showing the Religious Denominations to which they profess (as recorded in the Prison Books) to belong.

	MALES.	FEMALES	TOTAL.
Church of England	113	21	134
Presbyterians	2	-	2
Wesleyans	4	2	6
Baptists	3	-	3
Independent	-	1	1
Bible Christians	2	-	2
Roman Catholics	7	2	9
TOTAL	131	26	157

A chaplain (a minister of the Church of England) is provided, at a salary of 300*l.* per annum.

Prisoners of other denominations are visited (if they desire it) by ministers of their own persuasions, who are not paid; but the number of such prisoners, however, is exceedingly small.

8 April 1868.

Edw. H. Rose, Governor.

BOROUGH PRISON, PLYMOUTH.

RETURN of the Number of Prisoners in the above Gaol, and to what Denomination they belong, on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	59
Roman Catholics	-	-	-	-	-	-	-	11
Wesleyans	-	-	-	-	-	-	-	4
Independents	-	-	-	-	-	-	-	2
Plymouth Brethren	-	-	-	-	-	-	-	1
Jew	-	-	-	-	-	-	-	1

TOTAL - - - 78

There is one chaplain of the Church of England, who affords religious instruction to prisoners of the Church of England persuasion, and also to each of the other denominations of prisoners in the prison differing from that of the Church of England, if they desire it, and which they usually do, at a cost of 80*l.* per annum.

BOROUGH GAOL, BARNSTAPLE.

THERE were in this prison on the 2nd instant, 10 males and three female prisoners. All attended Divine service, performed according to the rites of the Church of England on Sundays and Thursdays. Some time ago one prisoner expressed a wish to see a Roman Catholic priest, which request of course was immediately granted; although the same person also gladly availed himself of the visits of our chaplain. All the prisoners attend Divine service every Sunday and Thursdays, and receive the visits of our chaplain from choice, not from compulsion.

The only charge paid by the borough is the salary of 10 *l.* a year to the chaplain, the Rev. George Johnson.

21 April 1868.

William Trewin, Governor.

BOROUGH PRISON, DEVONPORT.

RETURN showing the Number of Prisoners of different Denominations confined in this Prison on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	46
Roman Catholics	-	-	-	-	-	-	-	-	12
Protestant Dissenters	-	-	-	-	-	-	-	-	3
TOTAL									61

The chaplain's salary is 80 *l.* per annum.

Roman Catholic priests attend and give instructions to prisoners of that denomination.

Protestant dissenting ministers, of different denominations, attend and give instructions when required.

N.B.—The number of Roman Catholic prisoners now in the gaol far exceeds the average numbers.

6 April 1868.

J. Edwards, Governor.

BOROUGH GAOL, TIVERTON.

RETURN showing the Number of Prisoners of different Denominations confined in this Prison on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	38
Roman Catholic	-	-	-	-	-	-	-	-	1
Wesleyan	-	-	-	-	-	-	-	-	1
Independent	-	-	-	-	-	-	-	-	1
Bible Christians	-	-	-	-	-	-	-	-	2
TOTAL									43

Of the above number (43), 30 are males and 13 are females.

All prisoners are allowed to see the minister of their own creed. The Church of England chaplain receives 30 *l.* per annum. Beyond this, there is no religious instruction. Service is held at the chapel three days a week.

J. B. Crabb, Governor.

DORSET COUNTY PRISON.

RETURN of the Number of Prisoners in the above Gaol, the different Denominations to which they belong, the Religious Instruction* afforded to each Denomination, and at what Cost.

In custody on the 2nd of April 1868 :—

Belonging to the Church of England	-	-	-	-	-	-	-	-	106
Of the Jewish persuasion	-	-	-	-	-	-	-	-	1
Of no religious persuasion	-	-	-	-	-	-	-	-	1
Roman Catholics	-	-	-	-	-	-	-	-	3
Wesleyans	-	-	-	-	-	-	-	-	5
Independents	-	-	-	-	-	-	-	-	2

TOTAL - - - 118

One chaplain of the Church of England is appointed at a salary of 250 *l.* per annum.

* The 47th section of the Prison Act, 1865, schedule 1, is strictly observed.

J. V. D. Lawrance, Governor.

BOROUGH GAOL, POOLE.

No ministers were appointed to the different denominations, but prisoners were allowed to communicate with ministers of their own religious persuasion, on their expressing a desire to do so.

16 May 1868.

John Lankester, Visiting Magistrate.

DURHAM COUNTY GAOL.

Three thousand four hundred and seventy-one prisoners were committed to this gaol for the year ending the 2nd of April 1868; 2,581 of whom were members of the Church of England, the salary of the chaplain being 250 *l.* per annum; and 890 members of the Church of Rome, the chaplain's salary being 70 *l.* per annum.

9 April 1868.

C. Armstrong, Lieutenant Colonel, Governor.

ESSEX COUNTY GAOL, SPRINGFIELD.

RETURN showing the Number of Prisoners in the above Prison, and to what Denomination they belong, for the Year ending the 2nd of April 1868 inclusive.

	Males.	Females.
Average Daily Number - - -	217	16
Church of England - - - - -	954	101
Presbyterians - - - - -	10	—
Wesleyans - - - - -	44	5
Roman Catholics - - - - -	74	13
Baptists - - - - -	26	1
Independents - - - - -	49	6
No religion - - - - -	1	—
Lutheran - - - - -	1	—
Primitive Methodists - - - - -	3	—
Calvinist - - - - -	1	—
Jews - - - - -	4	—
Ranters - - - - -	2	—
Peculiar People - - - - -	1	—

One chaplain of the Church of England is appointed, at a salary of 300 *l.* per annum.

Roman Catholics are visited weekly by a priest gratuitously, and other denominations at their special request.

15 April 1868.

H. M'Gorrrery, Governor.

HOUSE OF CORRECTION, LITTLE ILFORD.

RETURN of the Religious Instruction afforded in this Prison to the Prisoners of the different Denominations, and at what Cost to each, and Number of Prisoners, from the 2nd of April 1867 to the 2nd of April 1868, inclusive.

Protestants - - - - -	637
Roman Catholics - - - - -	133
Dissenters - - - - -	66
Not ascertained - - - - -	5
TOTAL - - -	841

One chaplain of the Established Church is appointed, and paid a salary of 100 *l.* per annum.

15 April 1868.

William Stringer, Gaoler.

BOROUGH GAOL, COLCHESTER.

THE gaol at Colchester is solely used for prisoners who are temporarily confined previously to their conviction or committal for trial. The number of prisoners now confined there is four. A chaplain of the Church of England is appointed, at a salary of 20 *l.* a year.

7 April 1868.

Henry Wittey,

Clerk to the Visiting Justices.

GLOUCESTER COUNTY PRISON.

RETURN of the Number of Prisoners in the Prison on the 2nd day of April 1868.

Roman Catholics	- - - - -	5
Jews	- - - - -	3
Protestants	- - - - -	203
TOTAL		211

A clergyman of the Established Church is appointed by the Court of Quarter Sessions, at a salary of 250 *l.* per annum. No other paid clergyman is engaged, though all prisoners differing from the Established Church are permitted to be visited by ministers of their own persuasion, and the Roman Catholic priest regularly attends without pay.

7 April 1868.

H. Cartwright, Governor.

CITY BRIDEWELL, BRISTOL.

RETURN of the Number of Prisoners in Custody on the 2nd of April 1868, and the Religious Denominations to which they belong.

Church of England	- - - - -	87 *
Roman Catholics	- - - - -	20 †
Wesleyans	- - - - -	6 †
Baptists	- - - - -	5 †
Independents	- - - - -	4 †
Presbyterian	- - - - -	1 †
TOTAL		123

* Instructed by the chaplain of the gaol, who receives a salary of 250 *l.* per annum.

† Receive the instructions of a Roman Catholic priest, who visits the gaol for that purpose.

‡ All of whom attend the services in the gaol chapel, and receive the instructions of the chaplain.

J. A. Gardner, Governor.

HEREFORD COUNTY GAOL.

RETURN of Prisoners in Custody on the 2nd of April 1868, their Religious Denomination, and Cost of Instruction of each Class.

Religious Denomination.	Number.	Instructed by,	Cost per Annum.	REMARKS.
Church of England	47	} Chaplain and - Schoolmaster - Rev. Canon Spears, R. C. Priest. and Schoolmaster	£. s. d. 150 - -	Attends occasionally; is not paid any salary.
Nonconformists	7		54 12 -	
Roman Catholics	4		- - -	
TOTAL	58		as above.	

4 April 1868.

T. W. Thomas, Visiting Justice.

CITY GAOL, HEREFORD.

RETURN of the Number of Prisoners in the above Gaol during the last Year, showing the Religious Denominations to which they belong.

Church of England	-	-	-	-	-	-	-	-	166
Church of Rome	-	-	-	-	-	-	-	-	28
Dissenters	-	-	-	-	-	-	-	-	15
TOTAL									209

No religious instruction is afforded to prisoners other than that of the duly appointed chaplain.

6 April 1868.

Geo. Gouldrik, Governor.

HERTFORD COUNTY PRISON.

RETURN of the Religious Instruction afforded to Prisoners of different Denominations, specifying which, and at what Cost to each, and of the Number of Prisoners in the Prison, and what Denomination they belong, made up to the 2nd of April 1868.

	Church of England.	Protestant Dissenters.	Roman Catholics.	TOTAL.
Ministers Visiting -	1	Various; occasionally, as requested by prisoners.	1	—
Cost - - -	Chaplain's salary, 250 l.	Voluntary; resident in the neighbourhood.	Voluntary; resident in the neighbourhood.	—
Number in the Prison, 2nd April 1868.	89	9	2	100

4 April 1868.

Saml. Hatchard, Governor.

GAOL FOR THE LIBERTY OF SAINT ALBAN.

RETURN of the Number of Prisoners confined in the above Gaol on the 2nd of April instant, specifying their Religious Denomination.

Established Church	-	-	-	-	-	-	-	42
Roman Catholic	-	-	-	-	-	-	-	1
TOTAL								43

During the last 12 months no payment has been made for any other religious instruction than that afforded by the chaplain of the gaol.

Notice is given to every prisoner on entering the gaol that he is not compelled to attend the services in the gaol chapel, and that the attendance of a minister of his own denomination is provided, if he desires it; the expenses of such attendance being defrayed by the Liberty of St. Alban.

16 April 1868.

John Deayton, Governor.

HUNTINGDON COUNTY GAOL.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

Baptists	-	-	-	-	-	-	-	-	-	17
Wesleyans	-	-	-	-	-	-	-	-	-	13
Methodists	-	-	-	-	-	-	-	-	-	12
Independents	-	-	-	-	-	-	-	-	-	2
Roman Catholics	-	-	-	-	-	-	-	-	-	16
Church of England	-	-	-	-	-	-	-	-	-	138
Not ascertained	-	-	-	-	-	-	-	-	-	12
TOTAL										210

Religious instructions given by chaplain (Church of England minister), except to those of different denominations, who are visited by a minister of their own persuasion, free of cost.
Cost of each denomination (per chaplain's salary) 20 l.

15 April 1868.

Geo. Hulme, Governor.

KENT COUNTY PRISON, MAIDSTONE.

RETURN showing the different Denominations of Prisoners to whom Religious Instruction is afforded, the Cost to the Prison, the Number of Prisoners in the Prison, and to what Denomination they belong, on the 2nd of April 1868.

Total Number of Prisoners in Custody on 2 April 1868.	DENOMINATION OF PRISONERS.					
	Church of England.		Wesleyan.		Roman Catholic.	
	Number of Prisoners.	Cost to the County of Religious Instruction, per Annum.	Number of Prisoners.	Cost to the County of Religious Instruction.	Number of Prisoners.	Cost to the County of Religious Instruction.
455	417	Salary of chaplain - £. 250 Books, &c., about - 10 £. 260	1	- Nil - A minister visits this prisoner, but receives no salary from the county.	37	- Nil. A priest visits these prisoners, but receives no salary from the county.

6 April 1868.

C. W. Bannister, Governor.

COUNTY PRISON AT ST. AUGUSTINE'S, CANTERBURY.

RETURN showing the Cost of Religious Instruction afforded to Prisoners of different Denominations.

The Established Church	-	-	-	-	£. 175 per annum.
All other Denominations	-	-	-	-	Nil.

RETURN showing the Number of Prisoners in this Prison on the 2nd of April 1868, and the Religious Persuasion to which they belong.

The Established Church	-	-	-	-	-	-	79
Roman Catholics	-	-	-	-	-	-	12
Wesleyans	-	-	-	-	-	-	2
TOTAL							93

Vincent Fenn, Governor.

BOROUGH GAOL, CANTERBURY.

RETURN showing the Number of Prisoners in the above Gaol, and to what Denomination they belong, for the Year ending the 2nd of April 1868, inclusive.

Church of England	-	-	-	-	-	-	-	82
Roman Catholics	-	-	-	-	-	-	-	12
Wesleyan Methodists	-	-	-	-	-	-	-	3
Independents	-	-	-	-	-	-	-	2
Of no religion	-	-	-	-	-	-	-	3
TOTAL								102

The sum of 40 *l.* per annum is paid to a minister of the Church of England in respect of his chaplaincy to the said gaol.

TOWN GAOL, DOVER.

A minister of the Church of England is appointed chaplain of this prison, at a salary of 40 *l.* a year.

On the 2nd instant there were three prisoners in the gaol, two of them belonging to the Church of England, and the other being a Wesleyan.

8 April 1868.

James Stilwell, Clerk to the Justices.

BOROUGH PRISON, SANDWICH.

There is a chaplain of the Church of England attached to this prison, who receives a salary of 30 *l.* per annum; no other religious instruction is afforded, nor has any been required.

The number of prisoners in the prison on the 2nd of April was 14.

15 April 1868.

T. L. Surridge, Clerk of the Peace.

LANCASTER COUNTY GAOL.

RETURN of the Number of Prisoners in the above Prison in which Religious Instruction is afforded to the different Denominations, specifying which, and at what Cost to each, and to what Denomination they belong.

DESCRIPTION.	Number of Prisoners in Custody.	DENOMINATION.				
		Church of England.	Roman Catholic.	Baptist.	Methodist.	Presbyterian.
Criminal Prisoners -	99	60	37	1	- -	1
Debtors - - -	121	82	23	- -	10	6
TOTAL - - -	220	142	60	1	10	7

Cost of each Protestant prisoner, 1 *l.* 5 *s.*

No appointed minister other than the Church of England chaplain.

9 April 1868.

H. W. Parr, Keeper.

BOROUGH GAOL, KIRKDALE.

RETURN showing the Number of Prisoners of different Religious Denominations in the above Gaol on the 2nd of April 1868, and the Cost of Instruction to each.

Established Church	-	-	-	-	-	-	-	-	225
Roman Catholics	-	-	-	-	-	-	-	-	157
Dissenters	-	-	-	-	-	-	-	-	7

Cost of instruction to prisoners of Established Church, 350*l.* Cost of instruction to Roman Catholic prisoners, 150*l.*

The Dissenters receive instruction from the Church of England minister.

6 April 1868.

E. G. H. H. Gibbs, Governor.

HOUSE OF CORRECTION, PRESTON.

RETURN showing the Number of Prisoners Confined in the above Gaol on the 2nd of April 1868, the Denomination to which they belong, the Religious Instruction afforded to each Denomination, and at what Cost.

Religious Denomination.	Number of each Denomination.	Instruction afforded to each.	Cost of Religious Instruction.	REMARKS.
Protestant - - -	237	Chaplain -	300 <i>l.</i> per year.	
Roman Catholic - - -	141	Roman Catholic minister.	100 <i>l.</i> per year.	
Methodist - - -	7	- -	- -	Attend Protestant chapel.
Presbyterian - - -	4	- -	- -	- ditto.
Baptist - - -	2	- -	- -	- ditto.
Jew - - -	1	- -	- -	- ditto.
TOTAL - - -	392			

James C. King, Governor.

NEW BAILEY PRISON, SALFORD.

RETURN of the Number of Prisoners in this Prison, and to what Denomination they belong, made up to the 2nd of April inclusive.

Church of England	-	-	-	-	-	-	-	306
Dissenters of all sects	-	-	-	-	-	-	-	68
Roman Catholics	-	-	-	-	-	-	-	185
TOTAL	-	-	-	-	-	-	-	559

A clergyman of the Established Church is chaplain, at a salary of 350*l.* per annum; no residence.

No Roman Catholic priest appointed, and no stipend for the priest, who comes when sent for, nor to any minister of any dissenting denomination.

4 April 1868.

T. H. Mitchell, Governor.

BOROUGH PRISON, LIVERPOOL.

RETURN showing the Number of Prisoners of different Denominations Confined in this Prison on the 2nd of April 1868, and at what Cost Religious Instruction is afforded to such Prisoners.

Denomination.	Males.	Females.	TOTAL.	Cost of Religious Instruction.
Protestants - -	288	119	407	Chaplain's stipend, 400 <i>l.</i> per annum, with house, coals, and gas.
Roman Catholics - -	292	271	563	Prison minister's stipend, 300 <i>l.</i> per annum.
TOTAL - -	580	390	970	

7 April 1868.

Jas. R. Veitch, Governor.

CITY GAOL, MANCHESTER.

NUMBER of Prisoners in the above Gaol on the 2nd of April 1868, showing the Denomination to which each Prisoner belongs.

Church of England, &c.	-	-	-	-	-	-	-	492
Roman Catholic	-	-	-	-	-	-	-	226
TOTAL	-	-	-	-	-	-	-	718

Chaplain, for Church of England and Protestant denominations, 250 *l.* per annum, with house, coals, gas, and medical attendance.
Roman Catholic minister, 120 *l.* per annum, without emoluments.

Also expenses incidental to the provision of bibles, prayer, hymn books, and works of a religious purport.

9 April 1868.

C. H. J. Lane, Governor.

LEICESTER COUNTY PRISON.

RETURN of the Number of Prisoners in the above Prison, and to what Denomination they belong, made up from the 3rd of April 1867 to the 2nd of April 1868 inclusive.

Church of England	-	-	-	-	-	-	-	343
Independents	-	-	-	-	-	-	-	16
Wesleyan Methodists	-	-	-	-	-	-	-	35
Primitive Methodists	-	-	-	-	-	-	-	39
General Baptists	-	-	-	-	-	-	-	26
Unitarian	-	-	-	-	-	-	-	1
Presbyterians	-	-	-	-	-	-	-	5
Roman Catholics	-	-	-	-	-	-	-	37
No religion	-	-	-	-	-	-	-	13

Of the above there were in custody on the 2nd day of April 1868—

Church of England	-	-	-	-	-	-	-	43
Independent	-	-	-	-	-	-	-	1
Wesleyan Methodists	-	-	-	-	-	-	-	5
Primitive Methodist	-	-	-	-	-	-	-	1
General Baptists	-	-	-	-	-	-	-	2
Unitarian	-	-	-	-	-	-	-	1
Presbyterian	-	-	-	-	-	-	-	1
Roman Catholics	-	-	-	-	-	-	-	6
No religion	-	-	-	-	-	-	-	2

The chaplain and schoolmaster afford religious instruction to all excepting Roman Catholics. Chaplain's salary, 250 *l.*; schoolmaster, 90 *l.*; total, 340 *l.*

Roman Catholic priest affords instruction to the Roman Catholics; does not receive any salary.

13 April 1868.

W. Musson, Governor.

BOROUGH GAOL AND HOUSE OF CORRECTION, LEICESTER.

RETURN showing the Number of Prisoners Committed to the above Gaol during the Year ending the 2nd of April 1868, and to what Denomination they belong.

Church of England	-	-	-	-	-	-	-	261
Protestant Dissenters	-	-	-	-	-	-	-	124
Roman Catholics	-	-	-	-	-	-	-	49
No religious profession	-	-	-	-	-	-	-	13
TOTAL								447

There is a chaplain (of the Church of England) appointed at a salary of 60 *l.* per annum, and ministers of other religious persuasions are allowed to visit prisoners in accordance with the 3rd section of the "Prison Ministers Act, 1863." The chaplain has made an application for the increase of his salary, which is now under the consideration of the visiting justices.

9 April 1868.

Edward Marshall, Governor.

LINCOLN COUNTY GAOL.

RETURN of the Number of Prisoners Committed to the above Prison during the Year commencing 3rd April 1867 and terminating 2nd April 1868, both inclusive, showing the Denomination to which each Prisoner belongs, the Religious Instruction afforded, and the Annual Cost.

RELIGION.	PRISONERS.		RELIGIOUS INSTRUCTION AND COST.
	Males.	Females.	
Church of England	126	9	The chaplain, a clergyman of the Church of England and appointed by the county magistrates, visits them daily in their cells and rooms, attends to their schooling, and religious books are issued weekly for their use; also they attend chapel daily, prayers on week-days, and two services on Sundays. The chaplain receives 200 <i>l.</i> per annum. Visited by Catholic priest when they wish it. Allowed to have books of their own religion.
Methodists	9	1	
Primitive Methodists	7	1	
Wesleyans	24	1	
Baptists	2	-	
Independents	2	-	
Ranters	1	-	
Reformers	-	1	
No religion	3	-	
Roman Catholics	3	-	
Jews	2	-	
Total	179	13	
GRAND TOTAL	192		

4 April 1868.

J. Foster, Governor.

HOUSE OF CORRECTION, LOUTH.

RELIGIOUS instruction is afforded in this prison to prisoners who are members of the Church of England, or Dissenters, by the chaplain to the prison, at a salary of 120 *l.* per annum.

Roman Catholics requesting to be visited by a Roman Catholic priest receive the visits of the Roman Catholic priest, resident in the town, gratuitously.

From the 1st of October 1867 to the 2nd of April 1868, the number of prisoners has been 355; of whom three were Dissenters, 21 Roman Catholics, and one Jew.

7 April 1868.

J. Johnson, M. A., Chaplain.

HOUSE OF CORRECTION, SPILSBY.

RETURN of the different Religious Denominations of Prisoners received into the above House of Correction during the Year ended the 2nd of April 1868; and of the Number of each Denomination in Custody on the same day.

	MALES.	FEMALES.	TOTAL.
Received into Custody during the Year ending the 2nd of April 1868:—			
Church of England - - - -	112	73	185
Primitive Methodist - - - -	-	1	1
Wesleyans - - - - -	4	12	16
Reformer - - - - -	-	1	1
Roman Catholics - - - - -	13	11	24
Presbyterians - - - - -	-	2	2
Baptist - - - - -	-	1	1
Lutherans - - - - -	31	1	32
No religion - - - - -	37	21	58
TOTALS - - - -	197	123	320
In Custody on the 2nd of April 1868:—			
Church of England - - - -	23	10	33
Primitive Methodists - - - -	—	—	—
Wesleyans - - - - -	1	2	3
Reformers - - - - -	—	—	—
Roman Catholics - - - - -	2	4	6
Presbyterians - - - - -	—	—	—
Baptists - - - - -	—	—	—
Lutherans - - - - -	—	—	—
No religion - - - - -	6	2	8
TOTAL - - - -	32	18	50

During the year ended the 2nd of April 1868 there was no application from prisoners, other than those belonging to the Established Church, to see a clergyman or other religious instructor of their particular persuasion, neither was any prisoner visited by any such clergyman during that period.

The cost of religious instruction for the year was 120 *l.*, *i.e.*, the salary of the chaplain, and not taking the instruction given by a schoolmaster and schoolmistress (warders) into consideration.

6 April 1868.

John F. Phillips, Governor.

HOUSE OF CORRECTION, KIRTON-IN-LINDSEY.

RETURN of the Number of Prisoners Committed to the above Prison from the 1st of April 1867 to the 2nd of April 1868 inclusive, showing the different Denominations to which they belong.

	MALES.	FEMALES.	TOTAL.
Committed during the Year:			
Established Church - - - -	225	50	275
Roman Catholics - - - -	66	11	77
Wesleyan Methodists - - - -	17	9	26
Primitive Methodists - - - -	10	2	12
Lutheran - - - -	1	-	1
Independents - - - -	2	1	3
Baptists - - - -	1	1	2
Presbyterians - - - -	3	-	3
No religion - - - -	71	3	74
TOTAL - - -	396	77	473
Number in Custody on the 1st of April 1867:			
Established Church - - - -	40	12	52
Roman Catholics - - - -	2	1	3
Wesleyan Methodists - - - -	3	1	4
Primitive Methodists - - - -	3	-	3
Lutheran - - - -	1	-	1
Independent - - - -	-	1	1
Baptist - - - -	1	-	1
Presbyterian - - - -	1	-	1
No religion - - - -	4	-	4
TOTAL - - -	55	15	70

The cost of religious instruction to the prisoners is uniform, there being no religious instructor appointed other than the ordinary chaplain (a clergyman of the Church of England) who receives a stipend of 150 *l.* per annum for his services.

Whenever the attendance of ministers of other denominations is required (which does not occur more than five or six times in a year), such services are not attended with any expense to the prison, being rendered gratuitously.

With the few exceptions above named, the prisoners are willing to receive the instructions of the chaplain in charge, whatever their religious tenets may be.

10 April 1868.

Joseph Snow, Governor.

HOUSE OF CORRECTION, FALKINGHAM.

RETURN showing the Number of Prisoners in this Prison, and to what Denomination they belong, on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	21
Protestant Dissenters	-	-	-	-	-	-	-	-	4
TOTAL									25

▲ chaplain of the Established Church is appointed, at a salary of 80 l. per annum.

6 April 1868.

James Higgins, Governor.

CITY GAOL, LINCOLN.

RETURN showing the Number of Prisoners in Custody, and their Religious Persuasion, on the 2nd of April 1868.

	MALES.	FEMALES.	TOTAL.
Church of England - - - - -	13	2	15
Roman Catholics - - - - -	2	-	2
TOTAL - - - - -	15	2	17

One chaplain belonging to the Established Church is provided for the religious instruction of the prisoners in this gaol, at a cost 45 l. per annum; but any prisoner who is of a religious persuasion differing from that of the Established Church has the option of being visited by a minister of the religious persuasion to which such prisoner belongs.

17 April 1868.

W. Walters, Governor.

HOUSE OF CORRECTION, SPALDING.

RETURN showing the Number of Prisoners of different Denominations, specifying which, and at what Cost of each, for the Year ending the 2nd of April 1868 inclusive.

Established Church - - -	370	} The Rev. John Lewis, chaplain, 150l.
Dissenters - - - - -	72	
Roman Catholics - - -	42	2nd class railway fares allowed to the Rev. J. Croft, Roman Catholic priest, at Boston, 2 l. 4 s.

20 April 1868.

Henry Bates, Governor.

BOROUGH PRISONS, GRANTHAM.

No provision is made in the present prison for affording religious instruction to prisoners of different denominations, as all the prisoners committed to the old prison for more than one month are removed to the Castle, at Lincoln, under a contract with the authority of that prison.

The new prisons for this borough are now nearly completed, and before they are used proper provision will be made for affording religious instruction to prisoners.

1 May 1868.

Henry T. Beaumont, Town Clerk.

BOROUGH GAOL AND HOUSE OF CORRECTION, STAMFORD.

On the 2nd of April 1868 there were in this prison four males and two females, all members of the Established Church; and the salary of the chaplain, who is a priest of the Established Church of England, is 25 *l.* per annum.

Whenever, as it occasionally happens, there are any prisoners of the Romish faith, they are permitted to send for the priest resident in the borough, who attends at his pleasure, without remuneration.

9 April 1868.

John Hewardine, Governor.

MIDDLESEX:—GAOL OF NEWGATE.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868, and the Religious Denomination of such Prisoners, &c.

Church of England	-	-	-	-	-	-	-	-	120
Wesleyans	-	-	-	-	-	-	-	-	4
Independents	-	-	-	-	-	-	-	-	2
Baptists	-	-	-	-	-	-	-	-	2
Scotch Church	-	-	-	-	-	-	-	-	3
Jew	-	-	-	-	-	-	-	-	1
Greek	-	-	-	-	-	-	-	-	1
No religion	-	-	-	-	-	-	-	-	1
Roman Catholics	-	-	-	-	-	-	-	-	27
TOTAL									161

A chaplain of the Established Church is appointed, at a salary of 300 *l.*

Roman Catholics, and prisoners whose religious denomination differs from that of the Established Church, are permitted to see their own spiritual advisers whenever convenient to them to attend.

22 April 1868.

E. J. Jonas, Governor.

HOUSE OF CORRECTION, COLDBATH FIELDS.

RETURN showing the Number of Prisoners in the above Prison, and to what Denomination they belong, on the 2nd of April 1868.

RELIGION.	Number of Prisoners.	Cost, &c.
Church of England - (about)	1,290	{ Chaplain - - - salary 400 <i>l.</i> per annum. { Assistant ditto - - - " 300 <i>l.</i> " " } Not paid.
Roman Catholic - - - "	329	
Others - - - - - "	24	
TOTAL - - -	1,643	

Thos. H. Colvill, Governor.

Thos. Glossop, Chairman.

HOUSE OF DETENTION, CLERKENWELL.

RETURN of the Number of Prisoners in the Prison on the 2nd of April 1868, and to what Denomination they belonged.

Church of England	-	-	-	-	-	-	-	196
Dissenters	-	-	-	-	-	-	-	5
Roman Catholics	-	-	-	-	-	-	-	75
Jews	-	-	-	-	-	-	-	3
TOTAL								279

Religious Instruction afforded:

Protestants.—By a chaplain, at an annual cost of 250 *l*.

Roman Catholics.—By a minister of that Church, allowed to visit those who do not object to see him; at no cost to the county.

Jews, and other denominations, the like.

William P. Bodkin, Chairman.

HOUSE OF CORRECTION, WESTMINSTER,

RETURN of the Number of Prisoners in the above Prison, and to what Denomination they belong, and at what Cost to each, made up to the 2nd of April 1868 inclusive.

Denominations of Prisoners.	Number of Prisoners on 2 April 1868.	Cost of such Instruction to each Denomination.
Protestants - - - - -	484	£. s. d. 410 12 -
Roman Catholics - - - - -	168	Nil.
TOTAL - - -	652	

11 April 1868.

Francis B. Morley,
Chairman of the Visiting Justices.

CITY OF LONDON PRISON, HOLLOWAY.

RETURN showing the Religious Denominations of the Prisoners who were in Confinement in the above Prison on the 2nd of April 1868.

	MALES.	FEMALES.	TOTAL.
Church of England - - - - -	255	24	279
Roman Catholics - - - - -	35	15	50
Jews - - - - -	7	-	7
Presbyterians - - - - -	3	-	3
Other Denominations - - - - -	14	-	14
TOTAL - - -	314	39	353

The annual salary of the chaplain of the Church of England is 350 *l*, with house, fuel, and light.

No other clergyman officiates at the prison or receives any emoluments whatever. Every facility is afforded to the prisoners for seeing a minister of their own persuasion.

7 April 1868.

Thomas Challis, }
Thomas Q. Finnis, } Visiting Justices.

DEBTORS' PRISON, WHITECROSS STREET.

This being a debtors' prison only, no account of the religious persuasion of the inmates is kept. No arrangements have been made for supplying to prisoners other ministrations than those given by the chaplain, further than by giving publicity to an old established rule, that prisoners possess the privilege of being visited by ministers of their respective persuasions.

6 April 1868.

Benjamin Constable, Keeper.

MONMOUTH COUNTY GAOL.

RETURN showing the Number of Prisoners in the above Gaol, and to what Denomination they belong, and at what Cost, for the Year ending the 2nd of April 1868 inclusive.

DENOMINATION.	MALE.	FEMALE.	TOTAL.	Cost per Annum.
Church of England - - - -	77	24	101	} £. 100.
Wesleyan - - - - -	2	1	3	
Independent - - - - -	2	-	2	
Presbyterian - - - - -	1	1	2	
Baptist - - - - -	2	2	4	
Welsh Baptist - - - - -	-	1	1	
Primitive Methodist - - - -	1	-	1	
Lutheran - - - - -	3	-	3	
Jew - - - - -	1	-	1	
Roman Catholic - - - - -	21	8	29	
TOTAL - - - -	110	37	147	

6 April 1868.

Thomas Holman, Governor.

BOROUGH GAOL, USK.

RETURN showing the Number of Prisoners in the above Gaol, and to what Denomination they belong, the Religious Instruction afforded to them, and at what Cost to each, for the Year ending the 2nd of April 1868 inclusive.

Religious Denominations.	Number of Prisoners.	By whom attended,	Payment made.
Church of England - -	583	Prison chaplain - - - -	200 L. per annum.
Wesleyan - - - -	68	No minister attends; they are visited by prison chaplain.	None.
Independent - - - -	12	Ditto - - ditto - - - -	None.
Baptist - - - - -	73	Ditto - - ditto - - - -	None.
Roman Catholic - - -	288	Visited by the Roman Catholic priest.	None.
TOTAL - - - -	1,024		

6 April 1868.

W. H. Bosworth, Governor.

NORFOLK COUNTY GAOL, NORWICH CASTLE.

RETURN showing the Number of Prisoners in Custody in the above Gaol on the 2nd of April 1868, also of what Religious Denomination they state themselves to belong, and the Rate of Cost for Religious Instruction to such Denomination.

Church of England - - - - -	60	} A clergyman of the Church of England is appointed chaplain, at a salary of 250 l. per annum; not allowed to take any other cure of souls.
No fixed ideas of religion - - - - -	6	
No religion whatever - - - - -	10	
Roman Catholic - - - - -	1	
Baptist - - - - -	1	
Ranters - - - - -	6	- - Nil.
		- - Nil.
TOTAL - - -	84	

Any prisoner who wishes to see a minister of a religious persuasion differing from that of the Church of England is always provided with one.

9 April 1868.

Geo. Pinson, Governor.

HOUSE OF CORRECTION, SWAFFHAM.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

Church of England - - - - -	31
Other Protestant Dissenters - - - - -	18
TOTAL - - -	49

No religious instruction is afforded to prisoners differing from the Church of England in this prison, except when a request is specially made by a prisoner, or a minister of any other religious persuasion, such requests being granted in accordance with the 28 & 29 Vict. c. 126, ss. 1 and 47.

No cost is incurred under any circumstances beyond the regular salary of the chaplain, which is 200 l. per annum.

9 April 1868.

J. B. Buckworth, Chairman of the Visiting Justices.

COUNTY PRISON, WYMONDHAM.

There have been no expenses incurred in instructing prisoners of other denominations than the Church of England, none having been required.

There is not a schoolmaster or schoolmistress in this prison, but the religious and elementary instruction is given by the chaplain.

8 April 1868.

Emily Greenfield, Matron.

W. H. R. Brickmann, A.M., Chaplain.

CITY GAOL, NORWICH.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868,
and to what Religious Denomination they belong.

	MALES,	FEMALES,	TOTAL.
Church of England - - - - -	55	3	58
Protestant Dissenters - - - - -	6	3	9
Roman Catholics - - - - -	—	—	—
TOTAL - - - - -	61	6	67

Prisoners of other denominations can see their different ministers on application. Roman Catholics, when any in custody, always see the Roman Catholic priest. No allowance to those ministers from any fund. The gaol chaplain is allowed a salary of 100 *l.* per annum. It is very seldom we have any Roman Catholics.

2 April 1868.

J. Howarth, Governor.

BOROUGH GAOL, GREAT YARMOUTH.

No provision is made in this prison for the religious instruction of prisoners of a denomination differing from that of the Established Church. Religious instruction is afforded to prisoners belonging to the Established Church by the chaplain (assisted by a deputy chaplain), at a salary of 50 *l.* per annum. Prisoners of a different denomination may, if they desire it, be visited by a minister of their own religious persuasion.

The number of prisoners in custody on the 2nd of April was 39, all of whom belonged to the Established Church.

6 April 1868.

Solomon Allies, Governor.

NORTHAMPTON COUNTY GAOL.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868,
and the Denominations to which they belong.

Church of England - - - - -	91
Roman Catholics - - - - -	5
Dissenters - - - - -	24
TOTAL - - - - -	120

Religious instruction at the expense of the county is only given by the chaplain, who is a member of the Church of England, and whose salary is 250 *l.* per annum; but ministers of other denominations are allowed access to prisoners when they wish it.

8 April 1868.

Fred. W. E. Villiers.
W. Grant.

George Ashby Ashby.
H. M. Stockdale.

BOROUGH GAOL, NORTHAMPTON.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868,
and the Denominations to which they belong.

Church of England - - - - -	69
Roman Catholics - - - - -	2
Dissenters - - - - -	6
TOTAL - - - - -	77

Religious instruction at the expense of the borough of Northampton is only given by the chaplain, who is a member of the Church of England, and whose salary is 105 *l.* per annum; but ministers of other denominations are allowed access to prisoners when they wish it.

17 April 1868.

J. B. Norman, Mayor.
W. Williams.
E. F. Law.

GAOL AND HOUSE OF CORRECTION, PETERBOROUGH.

One chaplain only is appointed of the Established Church of England, at a salary of 50 *l.* per year.

Prisoners of any other denomination are allowed to be visited by their ministers at their own request, for which no remuneration is allowed.

The number in the prison on the 2nd of April 1868 was 16 males and 3 females; total 19.

The daily average number for the year was 16 males and 4 females; total 20.

The number of commitments for the year was 143 males and 39 females; total 182.

19 April 1868.

William Preston, Governor.

NORTHUMBERLAND COUNTY PRISON, MORPETH.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868, and to what Religious Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	-	51
Roman Catholics	-	-	-	-	-	-	-	-	-	26
Presbyterians	-	-	-	-	-	-	-	-	-	18
Methodists	-	-	-	-	-	-	-	-	-	12
Baptists	-	-	-	-	-	-	-	-	-	2
TOTAL - - -										109

Church of England:—Chaplain's salary, 150 *l.*

Roman Catholic:—Nil.

6 April 1868.

Jos. Young, Visiting Justice.
Edwin H. Kinch, Governor.

HOUSE OF CORRECTION, TYNEMOUTH.

No chaplain is appointed to this prison, nor is it visited by any minister of any other denomination; consequently there is no religious instruction afforded to prisoners.

6 April 1868.

Robert Brown.

HOUSE OF CORRECTION, ALNWICK.

In this prison there is no religious instruction afforded to prisoners of different denominations. The commitments are limited to 14 days; those for longer periods are sent to Morpeth Gaol, the county prison.

21 April 1868.

Wm. Dickson, Clerk to the Visiting Justices.

HOUSE OF CORRECTION, HEXHAM

There is no paid chaplain or other officer in this prison; the prisoners are visited by the curate of the parish. The number of prisoners confined in this prison on the 2nd of April 1868 were three; namely, one Dissenter and two members of the Church of England. All prisoners committed for trial at assizes and quarter sessions, or summarily convicted for periods exceeding 14 days, are sent to Morpeth Gaol for trial and to undergo their sentences.

Edward Stanford, Keeper.

(Approved by) *Thos. Ridley,*
G. M. D. Waddilove, } Visiting Justices.
Leonard Wilson Atkinson,

6 April 1868.

BOROUGH PRISON, NEWCASTLE-UPON-TYNE.

RETURN showing the Religious Denomination of the Prisoners in Custody in the above Prison on the 2nd of April 1868, and the Cost at which Religious Instruction is provided for such Prisoners.

	MALES.	FEMALES.	TOTAL.
Church of England - - - - -	120	22	142
Roman Catholics - - - - -	49	20	69
Presbyterians - - - - -	-	2	2
Methodists - - - - -	1	2	3
Independent - - - - -	-	1	1
Baptist - - - - -	-	1	1
TOTAL - - -	170	48	218

The salary of the chaplain belonging to the Established Church is 253 *l.* per annum.

The sum awarded to the Roman Catholic priest, for attending the prison, is 30 *l.* per annum.

Joseph Little, Deputy Governor.

BOROUGH PRISON, BERWICK-UPON-TWEED.

No provision is made for affording separate religious instruction to prisoners of different denominations. There is, however, a chaplain (a clergyman of the Church of England) appointed under the provisions of the Prison Acts, at a salary of 40 *l.* per annum. Every facility is afforded to dissenting and other ministers to visit prisoners of their respective denominations.

The total number of prisoners committed to this prison during the year ending the 2nd of April 1868 was 100; whereof 36 were of the Church of England, 34 were Protestant Dissenters, and 30 were Roman Catholics; the average daily number during the same period was 9.

27 April 1868.

James C. Weddell, Clerk to the Visiting Justices.

NOTTINGHAM COUNTY GAOL.

RETURN showing the Number of Prisoners in this Prison on the 2nd day of April 1868, and to what Denomination they belong.

	MALES.	FEMALES.
Church of England - - - - -	16	3
Romanists - - - - -	3	—
Wesleyans - - - - -	11	1
Baptist - - - - -	1	—
TOTAL - - -	31	4

A chaplain of the church of England is appointed, at a salary of 100 *l.* per annum.

6 April 1868.

Henry Sherbrooke, }
James T. Edge, } Visiting Justices.

HOUSE OF CORRECTION, SOUTHWELL.

RETURN showing the Number of Prisoners in the above Gaol on the 2nd of April 1868, and to what Denomination they belong.

	MALES.	FEMALES.
Church of England - - - -	54	4
Romanists - - - - -	3	1
Methodists - - - - -	37	2
Baptists - - - - -	2	—
Unitarians - - - - -	—	1
No religion - - - - -	2	—
TOTAL - - - -	98	8

A chaplain of the Church of England is appointed, at a salary of 150 *l.* per annum.

No paid minister to any other denomination.

Any prisoner of a persuasion differing from that of the Established Church, at his request, may have a minister of the religion to which he belongs sent for.

7 April 1868.

Wm. Hodgson Barrow, Visiting Justice.

TOWN PRISON, NOTTINGHAM.

RETURN from the above Prison showing the Number of Prisoners in Custody on the 2nd of April 1868, and the Denomination to which they belong.

Church of England - - - - -	41
Wesleyans - - - - -	13
Roman Catholics - - - - -	7
TOTAL - - - -	61

A chaplain of the Church of England is appointed, at a salary of 150 *l.* per annum.

22 April 1868.

J. L. Thackeray, Visiting Justice.

OXFORD COUNTY PRISON.

The religious instruction officially afforded to the prisoners is exclusively that of the Established Church; but prisoners are allowed to have a minister of any other religious denomination if they desire it; and this instruction, when afforded, is gratuitous.

17 April 1868.

John M. Davenport, Clerk of the Peace.

CITY PRISON, OXFORD.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

Religious Denomination.	Number in Prison on the 2nd of April 1868.			Number of Prisoners passed through the Prison from 30th September 1867 to 2nd April 1868 inclusive.		
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL
Church of England -	23	6	29	127	33	160
Roman Catholics -	2	1	3	21	3	24
Protestant Dissenter -	-	-	-	-	1	1
Not ascertained -	-	-	-	2	-	2
TOTAL - - -	25	7	32	150	37	187

Religious instruction is afforded to prisoners belonging to the Church of England, and to those of the Roman Catholic Church; the former at a cost of 50 *l.* a year, the latter without cost. All prisoners not of the Established Church are visited, whenever required, by ministers of their own particular denominations.

RUTLAND COUNTY GAOL, OAKHAM.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Religious Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	-	50
Wesleyans	-	-	-	-	-	-	-	-	-	5
Baptists	-	-	-	-	-	-	-	-	-	4
Presbyterian	-	-	-	-	-	-	-	-	-	1
Roman Catholics	-	-	-	-	-	-	-	-	-	2
No religion	-	-	-	-	-	-	-	-	-	3
TOTAL										65

The only religious instruction afforded to the prisoners was that given by the chaplain of the prison, who is a clergyman of the Church of England, and receives a salary of 100 l. a year; and no application was made for other religious instruction by any of the prisoners.

16 April 1868.

Benjamin Adam, Clerk of the Peace.

SALOP COUNTY GAOL.

RETURN of the Number of Prisoners Committed to the above Gaol from the 3rd of April 1867 to the 2nd of April 1868 inclusive, and the Religious Denominations to which they belong.

	Misdemeanants.	Trial Book.	TOTAL.
Church of England	729	208	937
Dissenters	120	53	173
Roman Catholics	181	25	206
Jews	-	-	2
No religion	117	31	148
TOTAL			1,466

Roman Catholics committed for seven days or under - - - 132

The chaplain's salary is 250 l. per annum.

John Loxdale,

28 April 1868.

S. Denning, Chaplain.

SOMERSET COUNTY GAOL, TAUNTON.

RETURN of the Number of Prisoners Committed to the above Prison during the Year ending the 2nd of April 1868 inclusive, classified under the different Denominations of Religion to which they belong.

Church of England	-	-	-	-	-	-	-	-	-	611
Roman Catholics	-	-	-	-	-	-	-	-	-	7
Wesleyans	-	-	-	-	-	-	-	-	-	26
Presbyterians	-	-	-	-	-	-	-	-	-	3
Independents	-	-	-	-	-	-	-	-	-	14
Unitarian	-	-	-	-	-	-	-	-	-	1
Baptists	-	-	-	-	-	-	-	-	-	12
Bible Christian	-	-	-	-	-	-	-	-	-	1
Plymouth Brethren	-	-	-	-	-	-	-	-	-	1
TOTAL										676

The only denomination to which religious instruction is afforded at this prison is that of the Church of England, for which a chaplain is appointed, at a salary of 230 l. per annum. On prisoners expressing a wish to see ministers of different denominations they are immediately sent for, and who readily attend gratuitously.

Wm. Oakley, Governor.

(Approved)

A. G. Lethbridge,
F. B. Druetus, } Visiting Justices.

HOUSE OF CORRECTION, SHEPTON MALLET.

RETURN of the Number of Prisoners Committed to the above Prison for the Year ending the 2nd of April 1868 inclusive, classified under the different Denominations of Religion to which they belong.

Roman Catholics	-	-	-	-	-	-	-	-	18
Church of England	-	-	-	-	-	-	-	-	623
Wesleyans	-	-	-	-	-	-	-	-	123
Independents	-	-	-	-	-	-	-	-	14
Baptists	-	-	-	-	-	-	-	-	14
TOTAL									792

The only denomination to which religious instruction is afforded in this prison is that of the Church of England, for which a chaplain is appointed, at a salary of 220 *l.* per annum. On prisoners expressing a wish to see ministers of different denominations they are immediately sent for, and who readily attend gratuitously.

4 April 1868.

William Carter, Governor.

CITY GAOL, BATH.

All prisoners, not belonging to the Established Church, are permitted to see ministers of their own denominations, if they require it; but up to the present time such a request has not been made by any but Roman Catholic prisoners. All other prisoners, not belonging to the Established Church, have accepted the ministrations of the gaol chaplain.

The number of Roman Catholic prisoners admitted into the prison during the past year was 34; prisoners of other denominations, 14; and on the 2nd of April instant there were in the prison 69 prisoners, 3 of them were Roman Catholics, and the remaining 66 belonged to the Established Church. The Roman Catholics were visited by their priest, at his discretion. There is no cost attending those visits, as neither he, nor any other minister (not of the Established Church) are paid for such services.

22 April 1868.

John Pike, Governor.

SOUTHAMPTON COUNTY PRISON, WINCHESTER.

RETURN of the Number of Prisoners in the above Prison on the 2nd of April 1868, showing the respective Denominations to which they belong.

Church of England	-	-	-	-	-	-	-	-	218
Roman Catholics	-	-	-	-	-	-	-	-	33
Wesleyan Methodists	-	-	-	-	-	-	-	-	12
Independents	-	-	-	-	-	-	-	-	6
Baptists	-	-	-	-	-	-	-	-	3
Presbyterians	-	-	-	-	-	-	-	-	10
Lutherans	-	-	-	-	-	-	-	-	2
Bible Christian	-	-	-	-	-	-	-	-	1
No religion	-	-	-	-	-	-	-	-	1
TOTAL									286

Religious instruction is afforded to prisoners who are members of the Church of England, and Roman Catholics, at a cost of 300 *l.* and 40 *l.* respectively.

Upon the special application of a prisoner of a religious persuasion differing from that of the Established Church he is allowed to absent himself from chapel, and a minister of such persuasion, at his special request, is allowed to visit him under such restrictions imposed by the visiting justices as shall guard against the introduction of improper persons and prevent improper communications.

7 April 1868.

H. Baynes, Governor.

BOROUGH PRISON, PORTSMOUTH.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868,
and to what Religious Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	74
Protestant Dissenters	-	-	-	-	-	-	-	-	9
Roman Catholics	-	-	-	-	-	-	-	-	18
TOTAL									101

One chaplain (Church of England) appointed by visiting justices, at a salary of 160 *l.* per annum.

6 May 1868.

John Astridge, Governor.

BOROUGH GAOL, SOUTHAMPTON.

RETURN of the Number of Prisoners Confined in this Gaol on the 2nd of April 1868,
and of the Religious Denominations to which they respectively belong.

	MALES.	FEMALES.
Church of England	33	10
Independents	3	1
Wesleyans	2	-
Roman Catholics	2	3
Baptist	1	-
TOTAL	41	14

There is a chaplain of the Church of England appointed to the gaol, at a salary of 200 *l.* a year, who affords religious instruction to the prisoners. There is no other salaried minister appointed to the gaol, but the prisoners of the different denominations receive instruction from their own ministers at all times that they think proper to visit them.

9 April 1868.

J. Bernard,
Chairman of Visiting Justices.

STAFFORD COUNTY PRISON.

RETURN of the Number of Prisoners in Custody on the 2nd of April 1868, the Number
belonging to each Religious Denomination, and at what Cost to each.

Denomination.	Number.	Cost per Annum.
		<i>£.</i> <i>s.</i> <i>d.</i>
Church of England	521	} 525 - -
Protestant Dissenters	71	
Roman Catholics	79	
TOTAL	671	40 - -

W. Fulford, Governor.

SUFFOLK COUNTY AND BOROUGH PRISON, BURY ST. EDMUNDS.

RETURN of the Number of Prisoners in the said Prison on the 2nd of April 1868,
and to what Denomination they belonged.

Church of England	-	-	-	-	-	-	-	-	74
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One chaplain of the Church of England, at a salary of 250 *l.* per annum.

Roman Catholics and prisoners of any other denomination are permitted to see their own ministers, but at no cost to the county.

8 April 1868.

John Henry Barton,
Clerk of the Peace.

COUNTY GAOL, IPSWICH.

RETURN showing the Number of Prisoners Committed to the above Prison during the Year ending the 2nd of April 1868, and the different Denominations of Religion to which they belong.

Church of England	-	-	-	-	-	-	-	-	351
Roman Catholics	-	-	-	-	-	-	-	-	9
Methodists	-	-	-	-	-	-	-	-	47
Baptists	-	-	-	-	-	-	-	-	40
Independents	-	-	-	-	-	-	-	-	20
Jew	-	-	-	-	-	-	-	-	1
Not ascertained	-	-	-	-	-	-	-	-	16
TOTAL									484

TOTAL NUMBER in Prison on the 2nd of April 1868:—

Church of England	-	-	-	-	-	-	-	-	56
Roman Catholic	-	-	-	-	-	-	-	-	1
Methodists	-	-	-	-	-	-	-	-	7
Baptists	-	-	-	-	-	-	-	-	9
Independents	-	-	-	-	-	-	-	-	4
Not ascertained	-	-	-	-	-	-	-	-	1
TOTAL									78

The chaplain of the gaol attends the prisoners daily, and receives 200 *l.* per annum.
 A Catholic priest visits prisoners of that faith when requested. No emolument.
 No minister of any other dissenting denomination attends the prison. No application made by any prisoner for one.

8 April 1868.

Jno. Alloway, Governor.

SURREY COUNTY GAOL, HORSEMONGER LANE.

RETURN of the Number of Prisoners in this Gaol on the 2nd of April 1868, and whose Religious Denominations were as follows:—

	MALES.	FEMALES.	TOTAL.
Church of England	87	22	109
Church of Rome	16	10	26
Wesleyans	3	3	6
Baptists	4	-	4
No religion	1	-	1
Debtors, religion not ascertained	27	1	28
TOTAL	138	36	174

The salary of the chaplain of the gaol is 250 *l.* per annum. Religious instruction is not afforded to prisoners of a denomination differing from the Church of England; but such prisoners can at all reasonable hours, and at their own request, receive visits from the ministers of their respective creeds.

John Keene, Governor.

HOUSE OF CORRECTION, WANDSWORTH.

RETURN of the Number of Prisoners in the said Prison, and to what Denomination they belong, made up to the 2nd of April 1868.

	MALES.	FEMALES.	TOTAL.
In Custody on the 2nd April 1868 :			
Church of England - - - -	553	120	673
Roman Catholics - - - -	81	24	105
Baptists - - - -	3	3	6
Wesleyans - - - -	4	-	4
Presbyterian - - - -	1	-	1
Jews - - - -	5	-	5
Mahomedan - - - -	1	-	1
TOTAL - - -	648	147	795
Received during the Year ended 2nd April 1868 :			
Church of England - - - -	2,777	673	3,450
Roman Catholics - - - -	450	213	663
Baptists - - - -	14	3	17
Wesleyans - - - -	11	6	17
Presbyterians - - - -	5	-	5
Independents - - - -	1	1	2
Jews - - - -	12	-	12
Mahomedans - - - -	2	-	2
Unitarian - - - -	1	-	1
No religion - - - -	2	4	6
TOTAL - - -	3,275	900	4,175

Religious instruction is afforded to prisoners belonging to the Church of England by—

	£.
1 Chaplain, at a cost to the county of - - - -	250 per annum
1 Assistant chaplain, at a cost to the county of - - - -	210 "
2 Schoolmasters " " - - - -	146 "

To prisoners of the Roman Catholic religion by—

1 Priest, at a cost to the county of - - - -	£.60 per annum.
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Prisoners of other denominations are allowed to see ministers of their own persuasion on their own request, without any cost, and all prisoners are allowed to attend the chapel services and the schools if they please.

14 April 1868.

Richard Onslow, Governor.

SUSSEX COUNTY PRISON, LEWES.

RETURN of the Number of Prisoners on the 2nd of April 1868, with the Denominations to which they belong.

Church of England	-	-	-	-	-	-	-	-	146
Roman Catholics	-	-	-	-	-	-	-	-	13
Wesleyan Methodists	-	-	-	-	-	-	-	-	5
Baptists	-	-	-	-	-	-	-	-	5
Independents	-	-	-	-	-	-	-	-	4
Jews	-	-	-	-	-	-	-	-	3
Presbyterians	-	-	-	-	-	-	-	-	2
Countess of Huntingdon	-	-	-	-	-	-	-	-	1
No religion	-	-	-	-	-	-	-	-	1
TOTAL									180

Religious instruction is afforded to Protestants of all denominations by the prison chaplain (of the Established Church), who holds three services on Sundays, and daily prayers, with exposition of Scripture, throughout the week; also by personal visitation of the prisoners in their cells by the chaplain. Salary, 300*l.* per annum, with house, fuel, and lights.

The Roman Catholics are visited once a week by a priest, whose ministration is voluntary and gratuitous. A room is appropriated for his use, wherein to assemble the Roman Catholics for religious instruction; he has also access to them in their cells.

15 April 1868.

A. P. B. Helby, Governor.

WEST SUSSEX PRISON, PETWORTH.

RETURN of the Number of Prisoners in Custody on the 2nd of April 1868, and the Religious Denomination to which they belong; the Religious Instruction afforded them, and its Cost.

					MALES.	FEMALES.
Church of England	-	-	-	-	60	12
Roman Catholics	-	-	-	-	5	2
Presbyterian	-	-	-	-	1	—
Baptists	-	-	-	-	3	—
TOTAL					69	14

Religious instruction afforded them :—
Church of England—By our own chaplain.
Roman Catholics—By a Roman Catholic priest.
Presbyterians and Baptists—By a dissenting minister.

Cost—200*l.* per annum.

4 April 1868.

W. Linton, Governor.

WARWICK COUNTY PRISON.

RETURN of the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belonged, and at what Cost to each.

Church of England	-	-	-	-	155	300 <i>l.</i> per annum. Nil.
Roman Catholics	-	-	-	-	13	
Baptists	-	-	-	-	4	
Independents	-	-	-	-	7	
Wesleyans	-	-	-	-	3	
Presbyterian	-	-	-	-	1	
Religion not ascertained	-	-	-	-	1	
TOTAL					184	

13 April 1868.

Leigh, Visiting Justice.

BOROUGH PRISON, BIRMINGHAM.

RETURN of the Number of Prisoners in the above-named Prison on the 2nd of April 1868, with the Religious Denomination to which they belong, the Religious Instruction afforded, and at what Cost per Annum.

Religious Denomination.	Number in Custody.			Religious Instruction afforded.	Cost per Annum.
	Males.	Females.	TOTAL.		
					£. s. d.
Church of England - -	224	89	313	Resident chaplain - - - -	250 - -
Roman Catholics - -	47	8	55	Non-resident chaplain - - - -	50 - -
Baptists - - - -	18	1	19	Visited by the Church of Eng- land chaplain daily, and by minis- ters of their own persuasion on application.	
Wesleyans - - - -	11	1	12		
Independents - - - -	5	1	6		
Unitarians - - - -	4	-	4		
Presbyterians - - - -	3	1	4		
Jews - - - -	2	-	2		
Quaker - - - -	1	-	1		
TOTAL - - - -	315	101	416	- - - - - £.	300 - -

D. Meadows, Governor.

WESTMORLAND COUNTY GAOL AND HOUSE OF CORRECTION,
APPLEBY.

The number of prisoners in this gaol on the 2nd of April 1868 was 12 males and one female, 10 of whom belonged to the Church of England, and three to the Roman Catholics. They receive religious instruction from the chaplain to the gaol, who is a clergyman of the Established Church.

No other religious instruction is given, unless there should be an application from a prisoner for other instruction.

The salary of the chaplain is 52 *l.* 10 *s.* per annum.

6 April 1868.

J. Ridge, Governor.

HOUSE OF CORRECTION, KENDAL.

There is only one chaplain to this gaol, with a salary of 50 guineas per year.

The number of prisoners in confinement on the 2nd of April was 25; 17 belonging to the Church of England, six Roman Catholics, and two Presbyterians.

The prisoners differing from the Church of England can be attended by clergymen of their own persuasion, if they wish it, at no cost.

6 April 1868.

Christopher Fawcett, Governor.

WILTS COUNTY AND BOROUGH PRISON, SALISBURY.

RETURN of Prisoners Confined in the above Prison on the 2nd of April 1868, specifying to what Denomination they belong, and at what Cost to each Denomination.

Church of England	-	-	-	49	} Cost, 150 l. per annum. Nil.
Wesleyans	-	-	-	4	
Baptist	-	-	-	1	
Independents	-	-	-	2	
Roman Catholic	-	-	-	1	
TOTAL	-	-	-	57	

HOUSE OF CORRECTION, DEVIZES.

NUMBER of Prisoners Committed to the above Prison in the Year ending the 2nd of April 1868, and to what Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	529
Roman Catholics	-	-	-	-	-	-	-	-	14
Primitive Methodists	-	-	-	-	-	-	-	-	3
Wesleyans	-	-	-	-	-	-	-	-	9
Baptists	-	-	-	-	-	-	-	-	4
Independents	-	-	-	-	-	-	-	-	5
TOTAL	-	-	-	-	-	-	-	-	564

NUMBER of Prisoners Confined in the Gaol on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	99
Roman Catholics	-	-	-	-	-	-	-	-	2
Wesleyan	-	-	-	-	-	-	-	-	1
Independent	-	-	-	-	-	-	-	-	1
TOTAL	-	-	-	-	-	-	-	-	103

Church of England minister; salary, 200 l. per annum.

A. Alexander, Governor.

WORCESTER PRISON.

NUMBER of Prisoners in Custody on the 2nd of April 1868.

Members of the Church of England	-	-	-	-	-	-	-	216
Protestant Dissenters	-	-	-	-	-	-	-	47
Roman Catholics	-	-	-	-	-	-	-	6
TOTAL	-	-	-	-	-	-	-	269

One Protestant chaplain; 320 l. per annum.

N. B.—On the 4th instant, the visitors granted a stipend of 25 l. per annum to the Roman Catholic chaplain.

7 April 1868.

B. L. Stable, Governor.

YORK COUNTY GAOL.

RETURN showing the Number of Prisoners on the 2nd of April 1868, and to what Denomination they belong.

Church of England	-	-	-	-	-	-	-	-	68
Roman Catholics	-	-	-	-	-	-	-	-	40
Presbyterian	-	-	-	-	-	-	-	-	1
Jews	-	-	-	-	-	-	-	-	3
TOTAL									112

The Roman Catholics are principally prisoners received under contract from Middlesex; the ordinary proportion of county Roman Catholic prisoners is too small to justify the appointment of a Roman Catholic chaplain.

W. C. Lowrie, Governor.

HOUSE OF CORRECTION, NORTHALLERTON.

RETURN showing the Number of Prisoners in the above Prison, and to what Denomination they belong, from the 3rd of April 1867 to the 2nd of April 1868, inclusive.

DENOMINATION.	Number for the Year.	Cost per Annum.	Number in Prison on 2 April 1868.
		£.	
Established Church	638	150	94
Roman Catholics	207	40	30
Protestant Dissenters	113	-	12

6 April 1868.

Geo. Gardner, Governor.

HOUSE OF CORRECTION, BEVERLEY.

NUMBER and Religious Denomination of Prisoners in Custody on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	51
Church of Scotland	-	-	-	-	-	-	-	-	3
Roman Catholics	-	-	-	-	-	-	-	-	6
Protestant Dissenters	-	-	-	-	-	-	-	-	9
No religion	-	-	-	-	-	-	-	-	5
TOTAL									74

Religious instruction is afforded to prisoners belonging to the Established Church. Chaplain's salary, 200 *l.* per annum.

Religious instruction is afforded to prisoners of other denominations, in accordance with "The Prison Act, 1865, (28 & 29 Vict. c. 126, Schedule 1, Regulation 47)." No salary paid.

6 April 1868.

Alfred Shepherd, Governor.

HOUSE OF CORRECTION, WAKEFIELD.

RETURN showing the Number of Prisoners, and the Religious Denominations to which they belong, in the above-named Prison on the 2nd of April 1868.

Religious Denomination.	MALES.	FEMALES.	TOTAL.
Church of England - - - - -	876	88	964
Roman Catholic - - - - -	214	70	284
Methodist - - - - -	22	12	34
Wesleyan Methodist - - - - -	21	23	44
Baptist - - - - -	9	1	10
Presbyterian - - - - -	7	3	10
Independent - - - - -	4	1	5
Unitarian - - - - -	3	-	3
Calvanist - - - - -	1	-	1
Lutheran - - - - -	1	-	1
Jew - - - - -	1	-	1
No religion - - - - -	9	2	11
TOTAL - - -	1,168	200	1,368

The chaplain's salary is 400 *l.* per annum, and house, gas, and coals.

The assistant chaplain's salary is 150 *l.* per annum, and house, gas, and coals.

Salaries of two organists, 20 *l.* per annum.

The Roman Catholic minister's salary is 100 *l.* per annum.

6 April 1868.

J. G. Smyth, Visiting Justice.

BOROUGH GAOL, KINGSTON-UPON-HULL.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

Church of England - - - - -	122
Dissenters - - - - -	33
Roman Catholics - - - - -	42
TOTAL - - -	197

The Church of England chaplain is paid a salary of 180 *l.* per annum.

7 April 1868.

Jas. H. Gresham, Clerk to the Justices.

BOROUGH GAOL, LEEDS.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

Church of England - - - - -	212
Roman Catholics - - - - -	109
Methodists - - - - -	38
Baptists - - - - -	3
Independent - - - - -	1
Presbyterians - - - - -	6
No religion - - - - -	8
TOTAL - - -	377

The chaplain of the prison attends to the religious instruction of all prisoners not being Roman Catholics. His salary is 200 *l.* per annum.

A Roman Catholic priest has recently been appointed, and attends to the religious instruction of all prisoners who are Roman Catholics. His salary is 100 *l.* per annum.

C. A. Keene, Governor.

BOROUGH GAOL, SCARBOROUGH.

ON the 2nd day of April instant there were 16 males and 10 females in custody, whose religious denominations were as stated below.

	Males.	Females.
Church of England - - - - -	7	6
Roman Catholics - - - - -	3	2
Wesleyans - - - - -	1	2
Baptist - - - - -	1	—
Independent - - - - -	1	—
Lutheran - - - - -	1	—
Jews - - - - -	2	—
TOTAL - - -	16	10

The only paid minister is the chaplain, whose salary is 50 *l.* per annum.

6 April 1868.

W. E. Woodall,
Clerk to the Visiting Justices.

HOUSE OF CORRECTION, RIPON.

The number and cost of prisoners of the different denominations for the year 1867, the 2nd of April inclusive, are as follows:

Church of England - - - - -	44
Roman Catholics - - - - -	9
Dissenters - - - - -	6

The chaplain of the Church of England is allowed a salary of 36 *l.* per year. Nothing is allowed to the Roman Catholics or Dissenters.

8 April 1868.

W. Smith, Governor.

HOUSE OF CORRECTION, CITY OF YORK.

RETURN showing the Number of Prisoners in the above Prison, and to what Religious Denomination they belong, on the 2nd of April 1868.

Church of England - - -	Males - - -	14
	Females - - -	9
		23
Other denominations - - -	Males - - -	7
	Females - - -	3
		10
TOTAL - - -		33

There is one chaplain, who attends to all the religious duties. His salary is 100 *l.* per annum. Books, 3 *l.*

8 April 1868.

Hugh Barrett, Governor.

DEBTORS' PRISON, HALIFAX.

The Halifax Gaol is appropriated exclusively to the confinement of debtors and other prisoners committed by the judges of the several county courts in the West Riding, and the number of such prisoners seldom reaches 40, the average of the last year having been 24.

There is one chaplain, who visits the prison and performs the service on Sundays, in accordance with the principles of the Established Church, at a salary of 70 *l.* per annum.

The periods of confinement are so short, and the legal power of interference with the proceedings of the prisoners so limited, that it has never been customary to keep any record of the religious opinions professed by prisoners.

6 April 1868.

John Waterhouse,
Chairman of the Visiting Committee.

ANGLESEA COUNTY GOAL, BEAUMARIS.

RETURN of the Religious Denominations of the Prisoners Committed to the above Gaol
for the Year ending the 2nd of April 1868.

Religious Persuasions.	Number Committed.	Per Cent.
Established Church - - - - -	43	31 $\frac{2}{3}$
Calvinistic Methodist - - - - -	23	17 $\frac{1}{2}$
Roman Catholic - - - - -	21	15 $\frac{1}{2}$
Independent - - - - -	15	11 $\frac{3}{4}$
Baptist - - - - -	14	10 $\frac{10}{17}$
Wesleyan Methodist - - - - -	12	8 $\frac{2}{3}$
Lutheran - - - - -	3	2 $\frac{6}{7}$
Presbyterian - - - - -	3	2 $\frac{6}{7}$
Ranter - - - - -	1	0 $\frac{2}{7}$
TOTAL - - -	135	100

No religious instruction is afforded to any other denomination than that of the Established Church.

The chaplain receives a salary of 100 *l.* per annum.

6 April 1868.

John Jones, Governor.

BRECON COUNTY GAOL.

RETURN of the Denominations to which the Prisoners belong, who were in the Prison
on the 2nd instant, viz. :—

Church of England - - - - -	16
Protestant Dissenters - - - - -	12
Roman Catholics - - - - -	4
TOTAL - - -	32

The prison chaplain only affords religious instruction to the prisoners confined in this gaol.

4 April 1868.

J. Lazenby, Governor.

CARDIGAN COUNTY GAOL.

RETURN of the Number of Prisoners in the above Prison, and to what Denomination
they belong.

Church of England - - - - -	10
Methodists - - - - -	3
Wesleyan - - - - -	1
Baptist - - - - -	1
Roman Catholics - - - - -	5
TOTAL - - -	20

The cost of religious instruction is 40 *l.* per annum.

John Griffith, Jun., } Visiting Justices.
John Vaughan,

CARMARTHEN COUNTY GAOL.

RETURN of the Number of Prisoners in the above Prison, and to which Denominations they belong, to the 2nd of April 1868 inclusive.

Total of prisoners from 3 April 1867 to 2 April 1868 - - - - 211

Of these, 102 professed themselves members of the Church of England.
86 Protestant Dissenters.
23 Roman Catholics.

A salary of 65*l.* per annum is paid to a chaplain of the Church of England, who performs daily service.

A Roman Catholic priest attends and instructs Roman Catholic prisoners about once each week; but for this receives no salary from the prison authorities.

Protestant dissenting prisoners have neither been visited during the year by a minister of their own religious persuasions, nor have they in any one instance asked to be so visited.

4 April 1868.

George Stephens, Governor.

CARNARVON COUNTY GAOL.

RETURN of the Number of Prisoners Committed to this Gaol in the Year ending the 2nd of April 1868, showing to what Religious Denomination they belong, &c.

Church of England	-	-	-	-	-	-	-	-	138
Roman Catholics	-	-	-	-	-	-	-	-	56
Calvinists	-	-	-	-	-	-	-	-	75
Independents	-	-	-	-	-	-	-	-	23
Baptists	-	-	-	-	-	-	-	-	10
Wesleyans	-	-	-	-	-	-	-	-	36
Lutheran	-	-	-	-	-	-	-	-	1
No religion	-	-	-	-	-	-	-	-	9

NUMBER in the Gaol on the 2nd of April 1868.

Church of England	-	-	-	-	-	-	-	-	12
Roman Catholics	-	-	-	-	-	-	-	-	2
Calvinists	-	-	-	-	-	-	-	-	3
Independents	-	-	-	-	-	-	-	-	2
Baptists	-	-	-	-	-	-	-	-	2
Wesleyans	-	-	-	-	-	-	-	-	4
Lutheran	-	-	-	-	-	-	-	-	1

There is but one paid chaplain (Church of England), whose salary is 70*l.* per annum.

John Dixon, Governor.

DENBIGH COUNTY GAOL, RUTHIN.

RETURN showing the Number of Prisoners in the said Gaol on the 2nd of April 1868, the several Religious Denominations to which they belong, and the Number of each, together with the Cost at which they receive Religious Instruction.

	PROTESTANTS.				Roman Catholics.	TOTAL.
	Church of England.	Wesleyan Methodists.	Calvanistic Methodists.	Baptists.		
Number of each	21	4	5	3	4	37
Annual cost of each	75 <i>l.</i>	-	-	-	-	75 <i>l.</i>

The chaplain is a minister of the Established Church of England; he instructs all the Protestant prisoners alike.

A Roman Catholic priest, approved by the visiting justices, attends the prison regularly, and instructs the prisoners of that creed.

James Walmsley, Governor.

FLINT COUNTY GAOL.

RETURN showing the Number of Prisoners of different Religious Denominations Committed to this Prison, from the 3rd of April 1867 to the 2nd of April 1868, inclusive.

Church of England - - -	132	} £. 50 per annum paid for religious instruction. Nothing paid for religious instruction.
Roman Catholics - - -	59	
Dissenters - - - - -	94	

13 April 1868.

J. Haverfield, Governor.

GLAMORGAN COUNTY GAOL, CARDIFF.

RETURN of Prisoners in Custody in the above Gaol on the 2nd of April 1868, showing the Religious Denomination to which they belong, and at what Cost to each.

Church of England - - - - -	98
Roman Catholics - - - - -	42
Wesleyans - - - - -	3
Baptists - - - - -	22
Methodists - - - - -	4
Presbyterians - - - - -	2
Independents - - - - -	9
Lutherans - - - - -	3
TOTAL - - - - -	183

The salary of the chaplain (Church of England) is 250 *l.* per annum.

Nothing paid for religious instruction to any other denomination.

4 April 1868.

J. B. Woods, Governor.

BOROUGH GAOL, SWANSEA.

RETURN of the Number of Prisoners in Custody in the above Prison on the 2nd April instant, showing the Religious Creed or Denomination to which they belong, and the Amount of Religious Instruction afforded to such Prisoners, and at what Cost.

Church of England and Protestant Dissenters.	139	A Protestant chaplain attends several hours daily, at a salary of 250 <i>l.</i> a year. A Catholic priest attends to the Roman Catholic prisoners once a week gratuitously.
Roman Catholics - - -	41	
TOTAL - - -	180	

9 April 1868.

William Cox, Governor.

MERIONETH COUNTY GAOL, DOLGELLY.

The total number of prisoners committed to the above gaol during the year ending 2nd of April instant, inclusive, were 143; out of which 96 belonged to the Church of England, 36 to the Dissenters, and 11 to the Roman Catholics.

The rector of the parish of Dolgelly is the only one who has been appointed to give religious instructions to the prisoners, for which he is paid 40 *l.* a year.

14 April 1868.

Owen Thomas, Governor.

MONTGOMERY COUNTY GAOL.

RETURN showing the Number of Prisoners in the above Prison, from the 3d of April 1867 to the 2nd of April 1868, both days inclusive, and to what Denomination they belong.

	MALES.	FEMALES.
Church of England - - - - -	124	19
Roman Catholics - - - - -	19	2
Wesleyans - - - - -	23	2
Independents - - - - -	9	3
Calvinists - - - - -	14	1
Baptists - - - - -	7	1
Primitive Methodists - - - - -	5	1
Never in a place of worship - - - - -	1	3
TOTAL - - -	202	32

The only moneys paid in this prison for religious instruction to the prisoners is 50 *l.* per annum to the chaplain, being a member of the Established Church. All other denominations of prisoners may see, at any reasonable time, a minister of their own persuasion; and all is performed gratuitously.

Robert Pryse Edwards,
Governor.

8 April 1868.

PEMBROKE COUNTY GAOL AND HOUSE OF CORRECTION,
HAVERFORDWEST.

RETURN showing the Number of Prisoners in the above Prison on the 2nd of April 1868, and to what Denomination they belong.

	MALES.	FEMALES.
Church of England - - - - -	12	3
Baptists - - - - -	6	2
Roman Catholics - - - - -	5	—
Presbyterians - - - - -	2	—
Independents - - - - -	1	1
Wesleyans - - - - -	1	—
TOTAL - - -	27	6

The salary of the chaplain is 60 *l.* per year.

Richard James,
Clerk to the Visiting Justices.

15 April 1868.

RADNOR COUNTY GAOL, PRESTEIGN.

On the 2nd of April 1868 there were 16 male prisoners confined in this prison, all of whom belong to the Established Church of England.

No other clergyman appointed, but one of the Established Church, at a salary of 50 *l.* per annum. I have not at any time been called upon for any other minister by any prisoner.

Henry Verdon,
Governor.

5 April 1868.

PRISONS (RELIGIOUS INSTRUCTION).

RETURNS of the COUNTY and BOROUGH PRISONS of *England* in which RELIGIOUS INSTRUCTION is afforded to PRISONERS of different DENOMINATIONS, specifying which and at what Cost to each; and of the Number of PRISONERS in each PRISON, and to what DENOMINATION they belong; made up to 2 April inclusive.

(*Mr. Maguire.*)

*Ordered, by The House of Commons, to be Printed,
19 May 1868.*

REFORMATORY AND INDUSTRIAL SCHOOLS.

RETURN to an Address of the Honourable The House of Commons,
dated 19 March 1868;—for,

“ A NOMINAL RETURN of any CHILDREN committed in the Year 1867 to any REFORMATORY or INDUSTRIAL SCHOOL not ‘conducted in accordance with the Religious Persuasion to which the Youthful Offenders appeared to the Committing Authority to belong,’ together with the Reasons stated for the Committal by the Committing Authority.”

REFORMATORY AND INDUSTRIAL SCHOOLS.

RETURN, for the Year ending 31 December 1867, of JUVENILE OFFENDERS committed to the School of a Religious Persuasion differing from that of the School.

SCHOOL.	NAME.	RELIGION.	Reasons Given for Special Commitment.
Sunderland, Girls' Reformatory. (Protestant.)	Jane Gilfoy - - -	Roman Catholic	Represented to be Protestant; discovered to be Roman Catholic, and transferred to Roman Catholic school,
Glamorgan, Reformatory (Protestant.)	Stephen Lynch - - - Edmond Cleary - - -	Roman Catholic - ditto.	Roman Catholic boys at this school attend the service of the Roman Catholic church on Sundays, and Roman Catholic priest is allowed to visit boys of his creed, at the school, for the purposes of instruction.
North Eastern Reformatory - (This school receives both Protestant and Roman Catholic children.)	John Mullin - - - Michael Welsh - - - James Kennedy - - - Thomas Walsh - - - John Green - - - John Maughan - - - Peter M'Carty - - - Hugh Nellis - - - John Harrison - - - Patrick O'Neil - - - William Barnes - - - Patrick M'Nally - - -	Roman Catholic - ditto. - ditto. - ditto. - ditto. - ditto. - ditto. - ditto. - ditto. - ditto. - ditto. - ditto.	The Roman Catholic boys are under the spiritual care of the Roman Catholic priest at Morpeth, and a Roman Catholic officer specially appointed in the reformatory. They attend the Roman Catholic chapel at Morpeth, and are regularly instructed by the priest and the Roman Catholic officer.
Red Hill Reformatory - (Protestant.)	Patrick Horan - - -	Roman Catholic	Boy discharged by Secretary of State on account of disease. No reasons given for his commitment.
Stoke Farm Reformatory (Protestant.)	Alfred Carlton - - - Robert Day - - - Samuel Jackson - - -	Roman Catholic - ditto - ditto	No reasons given. - ditto. - ditto. Visited by Roman Catholic priest for purposes of instruction on appointed days.
Leeds Reformatory (Protestant.)	Stephen Follard - - -	Roman Catholic	Committed as a Protestant; sent to the school at the special desire of his parents.
Doncaster, Girls' Reformatory (Protestant.)	Sarah Anderson - - -	Roman Catholic	Committed as a Protestant; found to be a Roman Catholic, and transferred to Roman Catholic school.
Old Mill, Aberdeen, Reformatory. (Protestant.)	John Gourlay - - -	Roman Catholic	Represented to be a Protestant; found to be a Roman Catholic, and transferred to Roman Catholic reformatory.
Wellington Farm, Edinburgh, Reformatory. (Protestant.)	John Murphy - - -	Roman Catholic	Represented to be a Protestant; found to be a Roman Catholic, and transferred to Roman Catholic reformatory.

SCHOOL.	NAME.	RELIGION.	Reasons given for Special Commitment.
Parkhead, Glasgow, Reformatory. (Roman Catholic.)	Peter Gallacher - - -	Protestant -	Received as a Roman Catholic, mother being of that faith. Transferred to a Protestant reformatory on his own special request, and declaration of his wish to be brought up a Protestant.
Stockport Industrial School (Protestant.)	Joseph Connor - - - Mary Jane Connor - - - John Thomas Gaffney - - - William Tyrrell - - -	Roman Catholic - - ditto. - - ditto. - - ditto.	No Roman Catholic industrial school to which they could be committed. Arrangements have now been made in future cases to send Roman Catholic children to Roman Catholic schools.
Sunderland, Boys' Industrial (Protestant.)	James Hesling - - - Peter Katens - - - James Earthland - - - William McGahn - - - Edward Traynor - - - Thomas Mahon - - - Henry Mahon - - - James Ragan - - - Nicholas Owens - - - Thomas Fitzsimons - - - William Innis - - - William Carr - - -	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	No Roman Catholic industrial school in the north-east of England to which these children could be committed.
Sunderland, Girls' Industrial (Protestant.)	Mary Dernon - - -	Roman Catholic	Received as a Protestant; found to be a Roman Catholic, and transferred to Roman Catholic industrial school.
Cardiff Industrial - - - (Protestant.)	Patrick McDonald - - -	Roman Catholic	None stated.
Bolton Industrial School - (Protestant.)	William Warburton - - - James Muldoon - - - William Dillimore - - - Thomas Cruise - - - Dennis Bead - - - Patrick Sweeny - - - Thomas Brannan - - -	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	This school is open to receive Roman Catholics as well as Protestants. The Roman Catholic boys attend their chapel twice on Sundays, and are under the spiritual direction of the priest at Bolton.
Middlesex Industrial School (Protestant.)	Benjamin Cooney - - - Dennis Bayhan - - - Reuben Eden - - -	Roman Catholic - - ditto. - - ditto.	Roman Catholic industrial school at Walthamstow full at the time. This boy was received as a Roman Catholic, but ascertained to be a Protestant by baptismal certificate.
Newcastle Industrial School (Protestant.)	Bridget McDermott - - - John Carter - - - Andrew Rankine - - - Ann McCartney - - - Eliza Titler - - - William Brown - - - Rose Ann Convery - - -	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	No Roman Catholic school to which these children could be committed.
Somerset Industrial School - (Protestant.)	Joseph Gilbert - - -	Roman Catholic	Received as a Protestant, ascertained to be a Roman Catholic, and transferred to Roman Catholic industrial school.
Leeds Industrial School - (Protestant.)	John Joyce - - - John Hopkins - - - John Thompson - - - John Cheevers - - - Catherine Thompson - - - John O'Connor - - - Owen Williams - - - William Scott - - - Thomas Meek - - - Thomas Gilligan - - - John Tanzy - - - John Morrison - - - William Ford - - -	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	No Roman Catholic industrial school in Leeds available.

SCHOOL.	NAME.	RELIGION.	Reasons given for Special Commitment.
York Industrial School (Protestant.)	Mary Jane Deans Thomas Hawkins Thomas Ryan Elizabeth Hand Joseph Davis John Sapcoat John O'Brien Julia Foyley	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	No Roman Catholic industrial school available. The Roman Catholic children attend the Roman Catholic church twice on Sundays. The priest attends weekly at the school, for the purpose of religious instruction.
Ayr Industrial School (Protestant.)	Mary M'Guire Catherine M'Guire John Brodlie	Roman Catholic - - ditto. - - ditto.	No Roman Catholic industrial school in the locality available. Children committed with the sanction of the parents.
Kilmarnock Industrial School (Protestant.)	Ann Smith Mary M'Keown Thomas M'Kenna Helen Brannigan	Roman Catholic - - ditto - - ditto - - ditto - - ditto	Received with the sanction of the relatives. Transferred, at request of parents, to Roman Catholic industrial school, within 30 days after admission. Free admission given to the Roman Catholic priest to visit.
Dumfries Industrial School (Protestant.)	Agnes M'Dade James Smith	Roman Catholic - - ditto.	No Roman Catholic industrial school available. Parents offering no objection.
Dundee Industrial School (Protestant.)	James Morrison Joseph Barrett Thomas M'Mahon John Riley Bernard Riley Thomas M'Gurk Thomas Carberry Daniel M'Ewen James Scott Dennis Glancy Andrew Flannigan Thomas M'Quillan Lawrence Sullivan Mary Dailly John M'Dade James M'Dade James Brannigan	Roman Catholic - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto. - - ditto.	No other industrial school available. No objections made by the parents.
Greenock Industrial School (Protestant.)	Mary M'Guckin	Roman Catholic	Committed at the father's special request to the magistrate.

REFORMATORY AND INDUSTRIAL SCHOOLS.

NOMINAL RETURN of CHILDREN committed, in the Year 1867, to REFORMATORY or INDUSTRIAL Schools not conducted in accordance with the Religious Persuasion to which the Youthful Offenders appeared to the Committing Authority to belong; &c.

(*Mr. O'Reilly.*)

Ordered, by The House of Commons, to be Printed,
12 May 1868.

362.

Under 103.

